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BOARD of SUPERVISORS



City Hall
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City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

10 45 a.m. 2007
DOCUMENTS DEPT

JUN 29 2007

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General Notice

Transmitted: 06-28-07

A public hearing will be held on 7/10/07 at 4:00 p.m., or as soon as possible after this time, at Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subject. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the listed file to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

070789 Public Hearing - Appeal of Categorical Exemption - 1135-1139 Green Street

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 10, 2007, Case No. 2005.0842E, (Building Permit Application No. 2005.06.16.5311), exempting from environmental review under Categorical Exemption Class 1 [State Guidelines, Section 15301(e)]. The proposal would add a new basement and construct an underground parking garage for five vehicles. The 3,000-square foot (sq ft) basement storage area would extend approximately nine feet below three existing townhome structures constructed in 1908 and listed on the Here Today historic register; the approximately 3,000-sq ft garage, would extend about 18-1/2 feet below grade. The project would require breaching and excavating behind a large retaining wall on Green Street to allow for the removal of 2,400 cubic yards of soil. Access to the garage would be through a 9-foot by 10-foot wooden roll-up garage door on Green Street. The site is on a rectangular parcel of 5,275 sq ft within the block (Assessor's Block 0125; Lots 115, 116, 117). The project site, located in the Russian Hill neighborhood, is zoned RH-3 (Residential, House-Three Family) and is within a 40-X Height and Bulk District. (Appellant: Jamie Cherry on behalf of the Russian Hill Community Association)

Kay Gulbengay, Interim Clerk of the Board

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

JUL 06 2007

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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Tuesday, July 10, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Kay Gulbengay, Interim Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynn

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for April 20, 2007.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

Items 1 through 6

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

- 1. 070452 [Minor Sidewalk Encroachments - Public right-of-way occupancy assessment fee]**
Supervisor Alioto-Pier
Ordinance amending Public Works Code Section 723.2 to clarify that the public right-of-way occupancy assessment fee for minor sidewalk encroachments applies to specified building permits and to all subsidewalk basements.

6/26/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
- 2. 061537 [Repeal of Planning Commission alternative review process]**
Supervisor Peskin
Ordinance amending Planning Code Section 306 and Administrative Code Sections 2A.53 and 31.04 to repeal provisions that are void by their own terms and concern an alternative review process if the Planning Commission were unable to meet because a majority of its members has not been nominated, approved, and sworn in to office.

6/26/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
- 3. 070628 [Describing the Limits on the Redevelopment Agency's Use of Eminent Domain to Acquire Real Property in Existing Redevelopment Plan Project Areas]**
Mayor, Supervisor Peskin
Ordinance describing the limits in existing redevelopment plans on acquisition of real property by the Redevelopment Agency of the City and County of San Francisco through the use of eminent domain, in compliance with a new requirement of the California Community Redevelopment Law.

6/26/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
- 4. 070681 [Zoning - Pacific Avenue Individual Area Neighborhood Commercial District]**
Supervisor Peskin
Ordinance adding Planning Code Sections 732 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

6/26/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

5. 070764 [Changing Official Sidewalk Width - Jessie Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1574 to change the official sidewalk width on the northerly side of Jessie Street westerly of Ecker Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1, and requiring relocation, modifications, or both of facilities affected by the sidewalk width change.

(Public Works Department)

6/26/2007, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

6. 070655 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY ONTO CARTER STREET - ESTABLISH

Walbridge Street, eastbound onto Carter Street

NO TURN ON RED - RESCIND

Geneva Avenue, eastbound, at Carter Avenue and Walbridge Street

ONE-WAY STREET - ESTABLISH

Florentine Street, southbound (uphill), from Mission Street to Brunswick Street

LEFT LANE MUST TURN LEFT - ESTABLISH

Buchanan Street, northbound, at Hermann Street

(Parking and Traffic Department)

(5/3/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. DPW Order No. 3356)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

7. 070966 [Adopting findings related to disapproving the categorical exemption issued for 2462 27th Avenue]
Motion adopting findings related to disapproving the determination by the Planning Department that the 2462 27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Board of Supervisors)
- 6/28/2007. REFERRED to Board of Supervisors.
- Question: Shall this Motion be APPROVED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Duffy

8. 070721 [MOU, San Francisco Police Officers' Association (SFPOA)]
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 1, 2007 through June 30, 2011.
(Fiscal Impact.)
- 6/19/2007, REFERRED to Public Safety Committee.
- 6/26/2007, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2007 nor later than August 1, 2007.)

9. 070773 **[Government Funding for Fiscal Year 2007-2008]**

Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2008.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 070774 **[Public Employment for Fiscal Year 2007-2008]**

Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2008, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 070826 **[Redevelopment Agency Budget and Bonds]**

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2007-2008, approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed \$125,800,000 to finance a portion of redevelopment activities described in such approved Budget for fiscal year 2007-2008; and approving additional General Fund loans to the Redevelopment Agency in the aggregate amount of \$463,000, consisting of a \$303,000 loan to complete a potential redevelopment plan for the Visitation Valley Survey Area and a \$160,000 loan for Bayview Hunters Point Survey Area C planning costs.

(Redevelopment Agency)

(Fiscal Impact.)

(Supervisor Mirkarimi dissented in committee.)

Question: Shall this Resolution be ADOPTED?

12. 070840 [Treasure Island Development Authority Budget]**Mayor**

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2007-2008.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

**13. 070739 [Accept-Expend Federal Grant - Department of Economic and Workforce Development]
Supervisor Mirkarimi**

Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$200,000 in FY 2006-07 from the Private Industry Council of San Francisco, Inc. for workforce development administration, contracting, and data management, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

Question: Shall this Ordinance be PASSED ON FIRST READING?

**14. 070740 [Accept-Expend Federal Grant - Department of Economic and Workforce Development]
Supervisor Mirkarimi**

Ordinance authorizing the Department of Economic and Workforce Development to accept and expend a grant in the amount of \$5,765,890 in FY 2007-2008 from the California Employment Development Department for workforce development, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammons, Elsbernd, Mirkarimi

15. 070808 [Increasing fees for certain services provided by the Medical Examiner]**Mayor**

Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fees for removal of remains, cremation services, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Duffy, Elsbernd, Mirkarimi

16. 070809 [San Francisco Administrative Code - First Offender Prostitution Program Fee]**Mayor**

Ordinance amending Ordinance No. 289-98 (Sec. 10.193-1 of the Administrative Code of the City and County of San Francisco) establishing the First Offender Prostitution Program Fee, to remove reference to Penal Code Section 647(b), to allow the Office of the District Attorney to send all eligible prostitution-related offenders to the department's First Offender Prostitution Program (FOPP) diversion class.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present Supervisors Peskin, Ammanno, Duffy, Mirkarimi, Elsbernd

17. 070810 [Patient Rates - Public Health]
Mayor
Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2007.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
18. 070811 [Public Works Code - Fees for various permits]
Mayor
Ordinance amending Public Works Code Sections 2.1.1, 2.1.2, and 724.1 to update and codify various permit fees, including permits for café tables and chairs, commemorative plaques, debris boxes, driveways, minor sidewalk encroachments, pipe barriers, sidewalks, street encroachments, street improvements, temporary street space occupancy; and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
19. 070812 [Amending Subsections of Section 106 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits]
Mayor
Ordinance making environmental findings and amending Sections 106.2, 106.3, 106.7, 106.8, 106.9, 106.10, 106.11, 106.15, 106.17 and Tables 106-B and 106-C of the San Francisco Fire Code to increase fees for certain Fire Department services and permits, to become operative on its effective date or on July 1, 2007, whichever is later.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
20. 070813 [Amending Sections of the San Francisco Business and Tax Regulations Code to increase certain Fire Department licensing fees]
Mayor
Ordinance making environmental findings, amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247 of the San Francisco Business and Tax Regulations Code to increase licensing fees for certain permits issued by the Fire Department, and repealing Section 242.1 of the San Francisco Business and Tax Regulations Code, to become operative on its effective date or on July 1, 2007, whichever is later.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
21. 070815 [Recreation and Park Department - Athletic Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.36, to revise the fee schedule for use of athletic fields.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

- 22. 070816 [Recreation and Park Department - Harding Park Fees]**
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.12, to revise the time for super twilight play, to establish fees for shotgun tournaments, and to authorize the Recreation and Park Commission to approve special promotions not to exceed a 20% discount of the applicable rate.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 23. 070817 [Recreation and Park Department - Clubhouse Rental Fees]**
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.21, to increase the fees for renting clubhouses in San Francisco parks.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 24. 070818 [Recreation and Park Department - Junior Golf Tournament Fees]**
Mayor
Ordinance making environmental findings and adding San Francisco Park Code, Article 12, Section 12.43, to establish fees for Junior and Family golf tournaments.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 25. 070819 [Recreation and Park Department - Program Fees]**
Mayor
Ordinance making environmental findings and adding San Francisco Park Code, Article 12, Section 12.44, to establish a fee structure for recreational programs, subject to the review and approval of the Recreation and Park Commission.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 26. 070820 [Recreation & Park Department - Reservation Administrative Fees]**
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.45 to establish administrative fees.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 27. 070821 [Recreation & Park Department - Change to Resident Golf Card Fee]**
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.32, to increase the annual fee for San Francisco Resident Golf Cards from \$40.00 to \$45.00 and imposing administrative fees.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

28. 070822 [Recreation and Park Department - Wedding Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.07, to increase the fees for holding weddings in San Francisco parks.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
29. 070823 [Retiree Health Benefits Fund]
Mayor, Supervisor Elsbernd
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-275, to create a Retiree Health Benefits Fund.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
30. 070849 [Establishing the HOPE SF Fund and provide for appropriations to the Fund]
Mayor, Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-370, to: establish the HOPE SF Fund; direct the City to appropriate \$5,000,000 to the Fund for FY 2007-2008 and set City policy regarding future appropriations to the Fund; identify the permitted uses of moneys so deposited; and, set forth provisions for the administration of such fund.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
31. 070702 [Second Amendment to Catholic Charities Sublease of Housing Units on Treasure Island]
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Catholic Charities to increase utility rates.
(Treasure Island Development Authority)
- Question: Shall this Resolution be ADOPTED?
32. 070703 [Second Amendment to Community Housing Partnership Sublease of Housing Units on Treasure Island]
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Community Housing Partnership to add 42 residential units to the premises, to increase the common area maintenance charge and to increase utility rates.
(Treasure Island Development Authority)
- Question: Shall this Resolution be ADOPTED?
33. 070704 [First Amendment to Haight Ashbury Free Clinics Sublease of Housing Units on Treasure Island]
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Haight Ashbury Free Clinics to increase utility rates.
(Treasure Island Development Authority)
- Question: Shall this Resolution be ADOPTED?

34. 070705 [First Amendment to Rubicon Programs Sublease of Housing Units on Treasure Island]
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Rubicon Programs to increase utility rates.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

35. 070706 [First Amendment to Swords to Plowshares Sublease of Housing Units on Treasure Island]
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Swords to Plowshares to increase utility rates.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

36. 070707 [Second Amendment to Walden House Sublease of Housing Units on Treasure Island]
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Walden House to add 12 residential units to the premises, to increase the common area maintenance charge and to increase utility rates.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, Ammiano, Duffy, Elsbernd

37. 070824 [Approval of FY07-08 Expenditure Plan for the Human Services Care Fund]
Mayor
Resolution approving the FY07-08 Expenditure Plan for the Human Services Care Fund.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

38. 070888 [Jurisdictional transfer of property from DPW to HSA]
Mayor
Resolution transferring jurisdiction of certain real property located at 1 Cashmere Street (Assessors Block 4720, Lot 7; the Sojourner Truth Child Care Center), 200 Cashmere Street (Assessors Block 4710, Lot 6; the MLK Nursery School), 100 Whitney Young Circle (Assessors Block 4711, Lot 6; the Earl P. Mills Community Center), and 1030 Oakdale Avenue (Assessors Block 4714, Lot 7; the Captain William Sorey Nursery School), from the Department of Public Works to the Human Services Agency.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, Ammiano, Duffy, Mirkarimi, Elsbernd

39. 070827 [Disbursements from Budget Savings Fund]
Mayor
Resolution approving disbursements from the Budget Savings Incentive Fund.
(Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?
40. 070885 [Proposition J Contract/Certification of specified contracted-out services for Department of Elections]
Mayor
Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for absentee voter ballot distribution services for Department of Elections.
- Question: Shall this Resolution be ADOPTED?

From Budget and Finance Committee Without Recommendation

41. 070887 [Proposition J Contract/Certification of specified contracted-out services for Recreation and Parks]
Mayor
Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for golf course maintenance services at the Department of Recreation and Parks.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present. Supervisors Maxwell, Sandoval, McGoldrick

42. 070657 [Repealing expired and superceded provision establishing Heavy Truck Loading Zones]
Ordinance amending the San Francisco Traffic Code by repealing expired Section 33.3.1 establishing heavy truck loading zones, and making a conforming change to Section 132 to eliminate the penalty for violating Section 33.3.1.
(Municipal Transportation Agency)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
43. 070658 [Eliminating obsolete peddler permitting program that expired in 1989]
Ordinance amending the San Francisco Traffic Code by amending Section 68 to remove obsolete references to Traffic Zone No. 1 and an expired permitting program for peddlers.
(Municipal Transportation Agency)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

44. 070659 [Establishing restrictions on trucks and buses on portions of Broderick, Ellis, and Eddy Streets and St. Joseph's Avenue]

Supervisor Mirkarimi

Ordinance amending the San Francisco Police Code by adding Sections 1183.37 through 1183.40 and amending the San Francisco Traffic Code by adding Sections 28.1.171 through 28.1.174 to establish bus and vehicle weight restrictions on portions of Broderick Street, St. Joseph's Avenue, Eddy Street and Ellis Street.

(Municipal Transportation Agency)

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 070656 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Market Street, north side, from 64 feet to 143 feet west of Castro Street (a 79-foot zone);
Mason Street, west side, from Jefferson Street to 40 feet southerly (removes two parking meter spaces to accommodate buses turning left onto Mason Street); and,
Geneva Avenue, south side, from Carter Street to 100 feet westerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Minnesota Street side of 1415 Indiana Street, from 2 feet to 9 feet north of the Minnesota Street driveway for 1415 Indiana Street (accommodating two unmetered motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Beachmont Drive, both sides, between Sloat Boulevard and Lagunitas Drive (unit block).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Grove Street, both sides, between Buchanan and Webster Streets (700 block).

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH

Stanyan Street, east side, from Fulton Street to McAllister Street (legalizing existing conditions)
(Parking and Traffic Department)

(5/3/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. DPW Order No. 3356)

Question: Shall this Resolution be ADOPTED?

46. 070742 [Traffic Regulation]

Supervisor Maxwell

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Mendell Street between Palou Avenue and 70 linear feet southwest of Oakdale Avenue from 6:30 A.M. to 3:30 P.M. on every Wednesday from May 23, 2007 through December 30, 2009.

Question: Shall this Resolution be ADOPTED?

Board of Supervisors Sitting as a Committee of the Whole

47. 070270 [Charter Amendment - Limiting hold-over service by members of City boards and commissions]
Supervisors McGoldrick, Amniano
Charter amendment (First Draft) to add Section 4.101.5 to limit hold-over service by members of City boards and commissions whose terms have expired.

6/26/2007, CONTINUED. Continued to July 10, 2007 with the Board Sitting as a Committee of the Whole.

Question: Shall this Charter Amendment be SUBMITTED?

48. 070677 [Charter Amendment - Requiring the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for public hearing]
Supervisors Elsbernd, Peskin, McGoldrick, Alioto-Pier, Maxwell
Charter amendment (First Draft) to amend Sections 2.113 and 3.100 to require the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for a public hearing.

6/26/2007, CONTINUED. Continued to July 10, 2007 with the Board Sitting as a Committee of the Whole.

Question: Shall this Charter Amendment be SUBMITTED?

49. 070939 [Charter Amendment - Prior Board review of initiatives submitted by the Mayor or four or more members of the Board of Supervisors; limiting hold-over service by members of City boards and commissions]
Supervisors Elsbernd, McGoldrick, Amniano, Peskin, Alioto-Pier, Maxwell
Charter amendment (First Draft) to amend Sections 2.113 and 3.100 to require the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for a public hearing, and to add Section 4.101.5 to limit hold-over service by members of City boards and commissions whose terms have expired.

6/26/2007, CONTINUED. Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to combine File No. 070270 and File No. 070677 to create File No. 070939.

Continued to July 10, 2007 with the Board Sitting as a Committee of the Whole.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 3:30 P.M.**

- 50. 070876 [Public Hearing - Appeal of Tentative Parcel Map for 4344 17th Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated May 30, 2007 (Case No. 2007.0013S), disapproving a proposed Tentative Parcel Map for a 3 lot subdivision located at 4344 17th Street, Lot 054, in Assessor's Block No. 2646. (Appellant: Sia Tahbozof, SST Investments)
(Filed June 11, 2007; companion measure to Files 070876, 070877, 070878, 070879; District 8.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

- 51. 070877 [Approving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 4344 17th Street]**
Motion approving the decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 3-lot subdivision located at 4344 17th Street, Lot 054 in Assessor's Block 2646.
Question: Shall this Motion be APPROVED?
- 52. 070878 [Disapproving decision of the Director of Public Works and approving the Tentative Parcel Map for 4344 17th Street]**
Motion disapproving the decision of the Director of Public Works for a 3-lot subdivision located at 4344 17th Street, Lot 054 in Assessor's Block 2646; reversing the decision of the Planning Department; finding the tentative map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the subdivision.
Question: Shall this Motion be APPROVED?
- 53. 070879 [Preparation of findings related to the appeal of the Tentative Parcel Map for 4344 17th Street]**
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 3-lot subdivision located at 4344 17th Street, Lot 054 in Assessor's Block 2646.
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm.

- 1 Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
- 2 Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
- 3 Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
- 4 Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
- 5 Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

54. 070789 [Public Hearing - Appeal of Categorical Exemption for 1135-1139 Green Street]
Hearing of persons interested in or objecting to the decision of the Planning Department dated April 10, 2007, Case No. 2005.0842E, (Building Permit Application No. 2005.06.16.5311), exempting from environmental review under Categorical Exemption Class 1 [State Guidelines, Section 15301(e)]. The proposal would add a new basement and construct an underground parking garage for five vehicles. The 3,000-square foot (sq ft) basement storage area would extend approximately nine feet below three existing townhome structures constructed in 1908 and listed on the Here Today historic register; the approximately 3,000-sq ft garage, would extend about 18-1/2 feet below grade. The project would require breaching and excavating behind a large retaining wall on Green Street to allow for the removal of 2,400 cubic yards of soil. Access to the garage would be through a 9-foot by 10-foot wooden roll-up garage door on Green Street. The site is on a rectangular parcel of 5,275 sq ft within the block (Assessor's Block 0125; Lots 115, 116, 117). The project site, located in the Russian Hill neighborhood, is zoned RH-3 (Residential, House-Three Family) and is within a 40-X Height and Bulk District. (Appellant: Jamie Cherry on behalf of the Russian Hill Community Association) (Filed May 30, 2007; companion measure to 070790, 070791, 070792; District 3.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

55. 070790 **[Affirming the categorical exemption issued for the 1135-1139 Green Street Project]**
Motion affirming the determination by the Planning Department that the 1135-1139 Green Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
- Question: Shall this Motion be APPROVED?
56. 070791 **[Disapproving the categorical exemption issued for the 1135-1139 Green Street Project]**
Motion disapproving the determination by the Planning Department that the 1135-1139 Green Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
- Question: Shall this Motion be APPROVED?
57. 070792 **[Preparation of findings related to the appeal of the categorical exemption for the 1135-1139 Green Street Project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1135-1139 Green Street Project is exempt from environmental review under the California Environmental Quality Act.
- Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

58. 070800 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review - Citywide Wireless Broadband Internet Access Network Ordinance]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated April 20, 2007, Case No. 2007.0097E, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301(b), 15303(d), & 15303(e); Class Numbers 1 and 3], the proposed project is an ordinance proposed by the Mayor (Board File No. 070077) that would approve one or more agreements (hereafter "the Agreement") between EarthLink, Inc. and the City and County of San Francisco. The Agreement would permit EarthLink to manage, operate, and install within the City rights-of-way a citywide wireless broadband internet access network that would provide free or affordable internet access for San Francisco residents, workers, and visitors. The project would involve installation within the City rights-of-way of a communications system consisting of two types of above-ground equipment: transmitters and backhaul devices. The Agreement does not specify proposed locations for the communications equipment, and EarthLink has not yet selected such locations. (Appellant: Jeff Hoffman, on behalf of the San Francisco Neighborhood Antenna Free Union (SNAFU).)
(Filed May 30, 2007; companion measure to Files 070801, 070802, 070803.)
- Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

59. 070801 [Affirming the categorical exemption issued for the Citywide Wireless Broadband Internet Access Network Ordinance]
Motion affirming the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?
60. 070802 [Disapproving the categorical exemption issued for the Citywide Wireless Broadband Internet Access Network Ordinance]
Motion disapproving the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?
61. 070803 [Preparation of findings related to the appeal of the categorical exemption for the Citywide Wireless Broadband Internet Access Network Ordinance]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Rescheduled Meeting on July 5, 2007 at 1:00 p.m and, if necessary, at a Special Meeting on July 10, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 10, 2007.

(Pursuant to the provision of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

62. 061466 [Charter Amendment - Authorizing the Chief of Police to Suspend Police Officers for Up to 45 Days]
Supervisor Elsbernd
Charter amendment (Second Draft) to amend Section A8.343 to increase the number of days that the Chief of Police may suspend police officers from 10 to 45, and making other non-substantive amendments.

Question: Shall this Charter Amendment be SUBMITTED?

63. 070724 [Charter Amendment - Funding for Affordable Housing Programs]
Supervisor Daly
Charter amendment (First Draft) to add Section 16.127 to appropriate funds for affordable housing programs.

Question: Shall this Charter Amendment be SUBMITTED?

64. 070726 [Charter Amendment - Requiring the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board]
Supervisor Daly
Charter amendment (First Draft) to amend Sections 2.103 and 3.100 to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

Question: Shall this Charter Amendment be SUBMITTED?

65. 070727 [Charter Amendment - MTA budget to be accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality review]
Supervisors McGoldrick, Sandoval
Charter amendment (First Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

Question: Shall this Charter Amendment be SUBMITTED?

66. 070728 [Charter Amendment - To provide retirement benefits for police department employees who were also airport police officers prior to December 27, 1997, as if they had been members of the police department during their service as airport police officers]
Supervisor McGoldrick
Charter amendment (First Draft) to amend Section A8.506-2 to authorize the Board of Supervisors to amend a contract with the Public Employees Retirement System in order to transfer to the San Francisco Employees' Retirement System the assets and liabilities of certain airport police officers, and by adding Section A8.597-10(d) to include time worked as an airport police officer in the calculation for retirement benefits for police department employees.

Question: Shall this Charter Amendment be SUBMITTED?

67. 070938 [Charter Amendment - To provide retirement benefits for police department employees who were also airport police officers prior to December 27, 1997, as if they had been members of the police department during their service as airport police officers]
Supervisor McGoldrick

Charter amendment (Second Draft) to amend Sections A8.506-2 and A8.597-11(a) to authorize the Board of Supervisors to amend a contract with the Public Employees Retirement System in order to transfer to the San Francisco Employees' Retirement System the assets and liabilities of certain airport police officers, and by adding Section A8.597-10(d) to include time worked as an airport police officer in the calculation for retirement benefits for police department employees.

Question: Shall this Charter Amendment be SUBMITTED?

68. 070730 [Charter Amendment - Renewal of Library Preservation Fund for fifteen-year term and authorization to issue debt for Library purposes secured by and/or repaid from the Fund]
Supervisors Peskin, Maxwell, Elsberud, Alioto-Pier, Mirkarini, McGoldrick, Dufty, Ammiano
Charter amendment (Second Draft) to repeal the existing Section 16.109 and to add a new Section 16.109, to renew the Library Preservation Fund for fifteen years and to authorize the City and County of San Francisco to issue debt for Library purposes secured by and/or repaid from the Fund.

Question: Shall this Charter Amendment be SUBMITTED?

69. 070731 [Charter Amendment - Emissions Reduction and Transit Reform (MTA)]
Supervisor Peskin
Charter amendment (First Draft) to amend Sections 8A.101 through 8A.106, 8A.108 through 8A.110, 8A.112 through 8A.113, 9.118, and A8.404, repealing Section 16.110; and by re-numbering Sections 16.100 and 16.102 as 8A.114 and 8A.115, respectively, all to increase the efficiency, effectiveness and autonomy of the Municipal Transportation Agency.

Question: Shall this Charter Amendment be SUBMITTED?

The following items will be considered by the City Operations and Neighborhood Services Committee at a Special Meeting on Thursday, July 5, 2007 at 2:00 p.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 10, 2007.

70. 070846 [Traffic Regulation for Marina Farmers' Market]
Supervisor Alioto-Pier
Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Steiner Street between Lombard and Chestnut Streets from 10:00 a.m. to 5:15 p.m. on every Tuesday between July 17, 2007 through October 30, 2007.

Question: Shall this Resolution be ADOPTED?

- 71. 070464 [Accept and Expend Federal Funds - Fiscal Year 2006 Lead Hazard Reduction Demonstration Grant Program]**
Supervisors Maxwell, Peskin, Mirkarimi, Ammiano, Dufty
Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed \$3,350,000, which includes controller's costs of \$33,500

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use and Economic Development Committee on July 9, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 10, 2007.

- 72. 070918 [Approving the construction of a raised median island to reinforce the No Right Turn Regulation from Market Street to Central Freeway]**
Supervisors Dufty, Mirkarimi, Daly
Draft Resolution approving the construction of a raised median island to reinforce the No Right Turn Regulation from Market Street to Central Freeway.

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Government Audit & Oversight Committee at a Special Meeting on July 9, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 10, 2007.

- 73. 070919 [Rejecting Water and Wastewater Rates]**
Supervisor Elsbernd
Resolution rejecting Water and Wastewater Rates submitted to the Board of Supervisors by the Public Utilities Commission on June 13, 2007.
(Transmittal Date 6/19/07 - Charter Section 2.109 requires Board of Supervisors rejection within 30 days.)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

74. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

75. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

- 76. 070945 [Legislative Analyst Request - Elected official's code of conduct]
Supervisor McGoldrick**
Motion requesting the Legislative Analyst to look into best practices on elected official's code of conduct.
(No Economic Impact)

Question: Shall this Motion be APPROVED?

Items 76 through 91**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

77. **070952** **[Urging regulation of the left-turn lane from Fell Street onto Masonic Avenue in order to increase the safety of bicyclists and pedestrians]**
Supervisor Mirkarimi
Resolutions urging the Municipal Transportation Agency create a traffic signal phase solely for bicycle and pedestrian traffic crossing Masonic Avenue and a separate left-turn signal for motorists turning left from Fell Street onto Masonic Avenue.
(No Economic Impact)
- 6/26/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
78. **070953** **[Supporting AB 508 to amend the State Welfare and Institutions Code]**
Supervisor Mirkarimi
Resolution in support of Assembly Bill 508, which would amend Section 18901.3 of the State Welfare and Institutions Code in order to fully repeal the ban on drug felons' eligibility to receive Food Stamps.
(No Economic Impact)
- 6/26/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
79. **070954** **[Miles For Peace- Cyclists Traversing the World for a Cause]**
Supervisor Mirkarimi
Resolution commending Miles For Peace for advocating the pacifist message of Iranian people to other nations around the world through the creative use of a European and North American bike ride between the dates of May 10th, 2007 and July 11th, 2007.
(No Economic Impact)
- 6/26/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
80. **070955** **[Declaring July 22, 2007 as San Francisco Theatre Day in San Francisco]**
Supervisor Alioto-Pier
Resolution declaring Saturday, July 22, 2007 as San Francisco Theatre Day.
(No Economic Impact)
- 6/26/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

81. 070956 [Issuance and Sale of Revenue Bonds - Schools of the Sacred Heart]
Supervisor Sandoval
Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$33,000,000 to finance educational projects owned and operated by the Schools of Sacred Heart – San Francisco.
(No Economic Impact)
- 6/26/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
82. 070957 [Urging the California State Legislature to oppose Assembly Bill 830]
Supervisor McGoldrick
Resolution urging the California State Legislature to oppose Assembly Bill 830 which would allow for the continued degradation of our public spaces through the conversion of existing billboards along California's landscaped highways to a digital format.
(No Economic Impact)
- 6/26/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
83. 070958 [Competitive bidding of City contracts for Property Management and Supportive Housing]
Supervisors Peskin, Ammiano, Mirkarimi, McGoldrick
Resolution calling on the Department of Public Health to issue a Request for Proposal for Property Management and Supportive Housing services.
(No Economic Impact)
- 6/26/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
84. 070963 [Directing City staff to report on actions to restrict Bisphenol-A in children's products]
Supervisor Alioto-Pier
Resolution directing San Francisco's Department of Public Health and Department of the Environment to submit a report with recommendations on potential actions that can be adopted to address risks to public health from exposure to Bisphenol-A and to base that report on the findings of a National Toxicology Program report along with the concerns of interested parties including representatives of the scientific and children's health communities.
(No Economic Impact)
- 6/26/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
85. 070989 [Supporting the weeklong student fast advocating for immigration reform]
Supervisor Sandoval
Resolution supporting the weeklong student fast advocating for immigration reform that includes the DREAM Act.
- 7/3/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

- 86. 070948 [Final Map - 74 New Montgomery Street]**
Motion approving Final Map 3551, a 110 Unit Mixed-Use Condominium Project, located at 74 New Montgomery Street being a subdivision of Lot 033 in Assessors Block No. 3707 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 176,884; District 6.)
- 6/25/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 87. 070949 [Final Map - 1218 Leavenworth Street]**
Motion approving Final Map 3997, a 7 Unit Residential Condominium Project, located at 1218 Leavenworth Street being a subdivision of Lot 023A in Assessors Block No. 0220 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 176,916; District 3.)
- 6/25/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 88. 070950 [Final Map - 1350 Natoma Street]**
Motion approving Final Map 4262, a 8 Unit Residential Condominium Project, located at 1350 Natoma Street being a subdivision of Lot 089 in Assessors Block No. 3548 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 176,905; District 6.)
- 6/25/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 89. 070951 [Final Map - 988 Market Street]**
Motion approving Final Map 3777, a 34 Unit Commercial Condominium Project, located at 988 Market Street being a subdivision of Lot 007 in Assessors Block No. 0342 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 176,904; District 6.)
- 6/25/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 90. 070960 [Final Map - 33 Clementina Street]**
Motion approving Final Map 3615, a 6 Unit Residential Condominium Project, located at 33 Clementina Street being a subdivision of Lot 157 in Assessors Block No. 3736 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 176,915; District 6.)
- 6/25/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

91. 070965 [Final Map - 750 Van Ness Avenue and 650 Turk Street]
Motion approving Final Map 3645, a 132 Unit Mixed-Use Condominium Project, located at 750 Van Ness Avenue and 650 Turk Street being a subdivision of Lot 028 in Assessors Block No. 0742 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 176,914; District 6.)

6/25/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

92. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 19, 2007 through July 2, 2007 for reference by the President to appropriate committee on July 10, 2007.

070976 [Settlement of Lawsuit - Edwin Macon, Sr.]

Ordinance authorizing settlement of the lawsuit filed by Edwin Macon, Sr. against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 14, 2006 in United States District Court, Northern District of California, Case No. C06-4904 SI; entitled Edwin Macon, Sr., et al., v. City and County of San Francisco, et al.
(City Attorney)

6/26/2007, RECEIVED AND ASSIGNED to Rules Committee.

070977 [Settlement of Lawsuit - Pacific Bell Telephone Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$52,500.00; the lawsuit was filed on March 16, 2006 in San Francisco County Superior Court, Case No. 450-385; entitled Pacific Bell Telephone Company v. City and County of San Francisco, et al; there are no other material terms of said settlement.
(City Attorney)

6/26/2007, RECEIVED AND ASSIGNED to Rules Committee.

070978 [Settlement of Lawsuit - Nawal Rizkallah]

Ordinance authorizing settlement of the lawsuit filed by Nawal Rizkallah against the City and County of San Francisco for \$100,000; the lawsuit was filed on April 3, 2006 in San Mateo Superior Court, Case No. 453874; entitled Nawal Rizkallah v. City and County of San Francisco, et al.
(City Attorney)

6/26/2007, RECEIVED AND ASSIGNED to Rules Committee.

070979 [Settlement of Lawsuit - Ophelia Alvarez]

Ordinance authorizing settlement of the lawsuit filed by Ophelia Alvarez against the City and County of San Francisco for \$117,500; the lawsuit was filed on November 7, 2005 in San Francisco Superior Court, Case No. 446448; entitled Alvarez, et al., v. City and County of San Francisco, et al.
(City Attorney)

6/26/2007, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 19, 2007 through July 2, 2007 for reference by the President to appropriate committee on July 10, 2007.

070972 [Authorizing Donation of Obsolete Fire Engine and Ambulance to San Francisco City College]

Resolution authorizing Fire Department to donate an obsolete fire engine and ambulance to the Fire Sciences Program at San Francisco City College.
(Fire Department)

6/19/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070973 [Contract to fund a drug research study]

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into a new subcontract from the Public Health Foundation Enterprises, Inc. (PHFE) in the amount of \$95,851 to fund a drug research study; for the period of March 1, 2007 through May 31, 2008.
(Public Health Department)

6/22/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 070974 **[Contract funds to support HIV vaccine and prevention research]**
Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into a new subcontract from the Public Health Foundation Enterprises, Inc. (PHFE) to support the research of the San Francisco Vaccine and Prevention Unit (SFVPU) in the amount of \$162,376; for the period of January 1, 2007 through September 30, 2007.
(Public Health Department)
- 6/22/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 070975 **[Recurring FY 2007-2008 State grant funds to the Department of Public Health from the California Department of Health Services]**
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (DPH) for FY 2007-2008.
(Public Health Department)
- 6/22/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 070980 **[Accept-Expend Federal Grant - Airport Commission]**
Resolution authorizing the Airport Commission to accept and expend funding in a total amount of \$2,297,483 from the Transportation Security Administration ("TSA") for Airport K-9 Explosives Detection Team Program.
(Airport Commission)
- 6/29/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 070981 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.
- STOP SIGNS – ESTABLISH
McAllister Street, eastbound and westbound, at Stanyan Street, making this uncontrolled intersection a two-way STOP; and,
- Ora and Topaz Ways, making this intersection an all-way STOP.
(Parking and Traffic Department)
- (6/26/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3375.)
- 6/29/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070982 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE RIGHT TURN LANE - RESCIND

New Montgomery Street, southbound, at Mission Street.

NO U-TURNS - ESTABLISH

Webster Street, northbound and southbound, at Clay Street.

(Parking and Traffic Department)

(6/26/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3375.)

6/29/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070974 [Contract funds to support HIV vaccine and prevention research]

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into a new subcontract from the Public Health Foundation Enterprises, Inc. (PHFE) to support the research of the San Francisco Vaccine and Prevention Unit (SFVPU) in the amount of \$162,376; for the period of January 1, 2007 through September 30, 2007.
(Public Health Department)

6/22/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070975 [Recurring FY 2007-2008 State grant funds to the Department of Public Health from the California Department of Health Services]

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (DPH) for FY 2007-2008.
(Public Health Department)

6/22/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070980 [Accept-Expend Federal Grant - Airport Commission]

Resolution authorizing the Airport Commission to accept and expend funding in a total amount of \$2,297,483 from the Transportation Security Administration ("TSA") for Airport K-9 Explosives Detection Team Program.
(Airport Commission)

6/29/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070981 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

McAllister Street, eastbound and westbound, at Stanyan Street, making this uncontrolled intersection a two-way STOP; and,

Ora and Topaz Ways, making this intersection an all-way STOP.

(Parking and Traffic Department)

(6/26/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3375.)

6/29/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070982 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE RIGHT TURN LANE - RESCIND

New Montgomery Street, southbound, at Mission Street.

NO U-TURNS - ESTABLISH

Webster Street, northbound and southbound, at Clay Street.

(Parking and Traffic Department)

(6/26/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3375.)

6/29/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070983 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Sutter Street, north side, between Divisadero and Scott Streets; and
Post Street, south side, between Divisadero and Scott Streets.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Post Street, north side, between Divisadero and Scott Streets; and,
Sutter Street, south side, between Divisadero and Scott Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

New Montgomery Street, east side, from Mission Street to 80 feet northerly.

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 9 AM TO 6 PM, EVERYDAY) - ESTABLISH

Clementina Street, both sides, between 1st and 2nd Streets (unit block, includes addresses on both sides for permits, but signs will only be installed on the south side); and,
246 Second Street (no signs will be installed on 2nd Street, but residents will be eligible for Area "Y" permits).

PARKING METER AREA NO. 1 (1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND

Clementina Street, south side, between 1st and 2nd Streets (meters have been legislated, but have not been installed).

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Elizabeth Street, north side, between Sanchez and Vicksburg (300 block).

PERPENDICULAR (90-DEGREE ANGLE) PARKING (SOUTHBOUND DIRECTION) - ESTABLISH

DIAGONAL (45-DEGREE ANGLE) PARKING (NORTHBOUND DIRECTION) - ESTABLISH
Van Ness Avenue, center of the street, from North Point Street to 270 feet northerly at a proposed center island.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

2037 Hyde Street, west side, between the driveways for #2037 and #2041 Hyde Street (10-foot zone accommodating two motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "M" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Intersection of Avila Street, Cervantes Boulevard and Prado Street.

RESIDENTIAL PERMIT PARKING AREA "B" (2-HOUR TIME LIMIT, 9 AM TO 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

DeLong Street, west side, from Santa Cruz Avenue to the Daly City border (1 1/2 blocks).

TOW-AWAY, NO STOPPING ANYTIME, 3 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Diamond Street, west side, from Bosworth Street to 22 feet northerly,

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Taylor Street, east side, from Pine Street to 25 feet southerly (creates 6 motorcycle parking spaces).

NO PARKING ANYTIME - ESTABLISH

1580 5th Avenue, south side, from the driveway for this address westerly to the driveway for 1585 5th Avenue (135-foot zone).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hampshire Street, both sides, between 26th and Cesar Chavez Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "L" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Anza Street, both sides, between 2nd and 3rd Avenues (1100 block)

TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND

TOW-AWAY, NO STOPPING, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
9th Street, both sides, between Howard and Market Streets.

TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND

TOW-AWAY, NO STOPPING, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Hayes Street, south side, between Market and Franklin Streets; and,

Hayes Street, north side, between Polk Street and Van Ness Avenue.

TWO-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY ESTABLISH

11th Street, both sides, from Harrison Street to Bryant Street (replaces meters on the east side of the street); and,

Harrison Street, both sides, from 10th Street to 11th Street (replaces meters on the south side of the street); and

Bryant Street, both sides, from 10th Street to 11th Street (replaces meters on the north side of the street).

(Parking and Traffic Department)

(6/28/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3375).

6/29/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070990 [Petitions and Communications, #1]

Petitions and Communications received from June 19, 2007 through July 2, 2007 for reference by the President to July 10, 2007. (Part 1)

From Human Services Agency, regarding status on request for copies of the City surveys quoted by Trent Rhorer in the May 17, 2007 San Francisco Chronicle and San Francisco Examiner articles about shelter standards. (Reference 20070522-015) (1)

From various City departments, submitting list of sole source contracts entered into during fiscal year 2006-2007: (2)

Office of the Public Defender
Civil Service Commission
Adult Probation Department
Sheriff's Department
Board of Supervisors
Tax Collector
DTIS

From Francisco Da Costa, commenting on various issues regarding the increase of youth being killed on City streets. Copy: Each Supervisor (3)

From Nikolay N. Samsonov, submitting copy of letter addressed to Governor Schwarznegger regarding various issues and concerns. (4)

From Jerry Shepard, commenting on Supervisor Daly's proposal to ban the Blue Angels air show during Fleet Week. Copy: Supervisor Daly (5)

From Joan E. Cottrell, submitting copy of letter to Police Chief Heather Fong concerning her daughter. (6)

From Peter Rothaug, commenting on various concerns regarding Supervisor Jew. (7)

From Mary Helen Briscoe, urging the Board to support Mayor Newsom's proposed 2007-2008 Recreation and Park Department budget funding for gardening and custodial staff as well as park patrols. File 070775, Copy: Budget and Finance Committee Members (8)

From, submitting copy of signed petitions in opposition to the proposed ban on feeding Red-Masked Parakeets in San Francisco parks. (9)

From Public Utilities Commission Collection Systems, submitting request for waiver of Administrative Code Chapter 12B for San Francisco Ministorage. (10)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Schering-Plough Animal Health Corp. (11)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Mery X-Ray Chem. Corp. (12)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Pfizer Inc./Pharmaceuticals. (13)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Radiation Detection Co. (14)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for CDC Technologies Inc. (15)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Merial LIMITED. (16)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for ADT Security Service. (17)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for T.W. Medical Vet Supply. (18)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Abaxis Inc. (19)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Bayer Healthcare LLC. (20)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Galls/Long Beach Uniform. (21)

From Peter Warfield, submitting opposition to proposed Charter amendment regarding the Library Preservation Fund. File 070730 (22)

From James Chaffee, regarding the proposed library budget and Sunday hours. File 070745. Copy: Each Supervisor (23)

From Ethics Commission, regarding the procedure for filing "Reports of Payments Made at the Behest of an Elected Officer." Copy: Each Supervisor (24)

From Office of the Controller, submitting a historical chart showing the City's General Fund Reserve since fiscal year 1997-98 and the percentage of General Fund Reserve as a proportion to the total revenues. (Reference 20070619-002) Copy: Supervisor Elsbernd (25)

From Laguna Honda Hospital and Rehabilitation Center, concerning their disappointment that none of the budget initiatives for fiscal year 2007-08 to hire additional rehabilitation staff were approved. File 070773 (26)

From Police Department, submitting the Airport Bureau's Baseline Staffing Report for fiscal year 2007-08. File 070271 (27)

From Sunshine Ordinance Task Force, regarding Sheriff's Office's failure to comply with April 24, 2007 Order of Determination from the Sunshine Ordinance Task Force. (28)

From Department of Elections, responding to request for an explanation of the Secretary of State's recent letter rejecting the ES&S request for certification, an explanation of the consequences of the Secretary's decision, and how the Department plans to respond. (Reference 20070515-002) Copy: Supervisor Elsbernd (29)

From Interim Clerk of the Board, submitting Form 700 Statement of Economic Interests for: Maria Figueiredo, Legislative Assistant to Supervisor Sandoval. Colette Devou, Legislative Assistant to Supervisor Sandoval. (30)

From Department of Telecommunications and Information Services, regarding approval of agreement with EarthLink, Inc. for a Citywide Wireless Broadband Internet Access Network. File 070077, Copy: Each Supervisor (31)

From SF Police Officers Association, urging support for the retention of psychiatric hospital beds at SF General Hospital. File 070844. (32)

From Department of Public Works, regarding status on removing graffiti from various locations in District 5. (Reference 20070410-010) Copy: Supervisor Mirkarimi (33)

From Department of Public Works, regarding status on removing graffiti from Clear Channel Billboard at the southeast corner of Scott and Haight. (Reference 20070605-006) Copy: Supervisor Mirkarimi (34)

From Department of Public Works, regarding status on removing graffiti from newsstands at the southeast corner of Hayes and Broderick (Chronicle) and the southwest corner of Hayes and Broderick (Learning Annex). Copy: Supervisor Mirkarimi (35)

From San Francisco Public Utilities Commission, submitting Resolution 07-0107 regarding the Trans Bay Cable Project. (36)

From Human Rights Commission, submitting request for waiver of Administrative Code Chapter 12B for District Attorney's Office. (37)

From American Legion Parkside Post 505, in support of seismic repairs to the San Francisco War Memorial Veterans Building. (38)

From Eula Walters regarding the naming of Ferry Park. (39)

From Department of Elections, regarding of overview of manually counting and tallying votes for the November 6, 2007 election. (40)

From various citizens, regarding the halt of military flyovers (39 letters) File 070931 (41)

From Wayne A. McFadden, regarding the Appeal of Final Mitigation Environmental Negative Declaration at 3400 Caesar Chavez St. File 070708 (42)

From African Immigrant & Refugee Center submitting resume. File 070773 (43)

From the Ethics Commission regarding contributions to scholarship program (44)

From Betsy Argana, regarding animal testing at UCSF (45)

From the Laser, Inc., regarding bidding at San Francisco facilities (46)

From Count Gramalkin, regarding home storage requirements. File 070683, 4 letters (47)

From Count Gramalkin, regarding mandatory dealer inventory requirements. File 070684, 4 letters (48)

From Count Gramalkin, regarding gun offender registry. File 070689, 4 letters (49)

From Count Gramalkin, regarding gun controls on County property. File 070682, 5 letters (50)

From Michael Meadows, regarding City golf courses (51)

From Robert Kerrigan, regarding gun controls on County property File 070682 (52)

From various citizens, regarding Community Choice Energy (9 letters) (53)

From various citizens, regarding "Busters Place." (12 letters) (54)

From various entities regarding WiFi appeal (7 letters) (55)

From the San Francisco Sheriff's Department regarding the No Violence Alliance Project (56)

From concerned citizens, regarding MUNI. 4 letters (57)

From Leslie Trass, universal health care (58)

From Kimo Crossman regarding the Sunshine Ordinance Task Force (59)

From Kimo Crossman regarding email archiving (60)

070991 [Petitions and Communications, #2]

Petitions and Communications received from June 19, 2007 through July 2, 2007 for reference by the President to July 10, 2007. (Part 2)

From Bill Heitner, regarding renaming Bush Street (61)

From various citizens, regarding Supervisor Daly's comments about the Mayor's behavior (70 letters) (62)

From Susan Cervantes regarding the Appeal of Final Negative Declaration – 3400 Caesar Chavez Street (63)

From various citizens regarding the Lorraine Hansberry Theatre (5 letters) File 070935 (64)

From Martin Lyon regarding traffic issues (2 letters) (65)

From Brett Gladstone regarding a continuance of the Categorical Exemption Appeal for 1135-1139 Green Street (66)

From Francisco Da Costa, regarding Save the Family Day (67)

From Francisco Da Costa, regarding Save the Family Day (68)

From Robert Clarkson regarding the sale of public golf courses to private entities (69)

From Francisco Da Costa, regarding low income housing (70)

From Matt Dorsey, regarding Bay View Hunters Point Referendum (71)

From Robert Kerrigan, regarding handguns File 70682 (72)

From Andrew Phillips regarding golf courses (73)

Kevin Clonts regarding MUNI (74)

From Tim Hemmeter regarding City garbage services (75)

From Department of Elections regarding response to Board of Supervisors Inquiry #20070515-002: Voting System Certification (76)

From Matthew Berger regarding an application of a business license (77)

From Department of the Environment submitting the Assessing Urban Forest Effects and Values Report (78)

From Marc Arnold regarding the PUC rate increase (79)

From Robert Kerrigan, regarding handguns File 70683 (2 letters received) (80)

From Michael Crandell regarding the Health Services Budget (81)

From the San Francisco Film Commission regarding Film Commission Bylaw change (82)

From the San Francisco Taxi Commission regarding street closures for Pride weekend events (83)

From Christian Holmer, regarding immediate disclosure requests from various City departments. 7

letters (84)

From San Francisco Arts Commission regarding response to Board of Supervisors Inquiry #20070508-010, Budget Enhancements (85)

From Department of Public Works, regarding status on removing graffiti from utility boxes and fire hydrants at various locations in District 5. (Reference 20070605-007) Copy: Supervisor Mirkarimi (86)

From Troy Nickol, commenting on various issues regarding MUNI. Copy: Municipal Railway, 4 letters (87)

From Department of Elections, regarding status on the Secretary of State's letter rejecting the ES&S request for certification, the consequences of the Secretary's decision and proposed Department of Elections response. (88)

From Office of the Controller, submitting report of review of the allegations concerning Red River Associates. (89)

From Axis of Love SF, submitting signatures for a Patients Rights Package to amend the current MCD ordinance. (90)

From concerned citizens, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 4 letters (91)

From concerned citizens, submitting support for the appeal of the Earthlink Wi-Fi proposal. File 070800, Copy: Each Supervisor, 3 letters (92)

From concerned citizens, urging the Board to support the proposed housing development for 3400 Cesar Chavez Street. File 070708, Copy: Each Supervisor, 2 letters (93)

From Jo Jetson, urging the Board to seek a humane method of dealing with the African clawed frogs residing the Golden Gate Park's lily pond. (94)

From J. Lee Murphy, submitting opposition to the proposed mandatory gun dealer inventory. File 070689 (95)

From Progressive Jewish Alliance, urging the Board to appoint Alan Flum to the Sweatfree Advisory Group. (96)

From Dr. Ahimsa Porter Sumchai, regarding the Bay Area Air Quality Management District. (97)

From Interim Clerk of the Board, submitting election schedules pertaining to the various actions and deadlines for the February 5, 2008 election. (98)

From Police Commission, submitting Resolution No. 63-07 commending the Board of Supervisors for their support of appropriate public disclosure of Peace Officer disciplinary matters. Copy: Each Supervisor (99)

From concerned citizens, submitting public comment regarding the 2007-2008 budget. (3 letters) File 070773 (100)

From Jonathan Alexander, commenting on human feces found in the children's playground in Duboce Park. (101)

From concerned citizen, commenting on the proposed 49er stadium in Hunters Point. (102)

From Virginia Tech, submitting appreciation for the messages of care and concern sent to them. (103)

From Jesse Richards, commenting on the need for traffic controls for pedestrians and bicyclists at Fell and Masonic Street. Copy: Each Supervisor (104)

From concerned citizen, commenting on the ban on the use of styrofoam in San Francisco. Copy: Each Supervisor (105)

From concerned citizens, commenting on Lemar BVHP LLC. 2 letters (106)

From Sean Coll, commenting on legalizing and regulating marijuana. Copy: Supervisor Mirkarimi (107)

From Joseph Cadiz, commenting on various issues regarding the Board. (108)

From Jay Sath, commenting on the issue of panhandling in San Francisco. Copy: Each Supervisor (109)

From concerned citizen, submitting opposition to the firearms proposal. File 070683, Copy: Each Supervisor (110)

From Neil Gavande, submitting opposition to the no guns on county property ordinance. (111)

From Andrew Dunibar, submitting support for the Recreation and Park Department's 2007-2008 budget submitted to the Board. File 070775, Copy: Each Supervisor (112)

From Deetje Boler, commenting on opposing rewriting of Library Preservation Fund (Prop E). File 070730, Copy: Rules Committee Members (113)

From Martin T. Lyon, submitting copy of letter to MTA/DPT regarding additional information in support of letter to MTA/DPT dated June 7, 2007. (114)

From Jeanette Barroca, submitting copy of letter written to President Bush. (115)

From Joe Famulari, urging the Board to support the Mayor's proposed 2007-2008 budget. Copy: Supervisor Peskin (116)

From Mike Zelinsky, commenting on the central freeway on-ramp at Market Street. Copy: Each Supervisor (117)

From Baylee DeCastro, urging Supervisor Daly to restore funding to the Women's Community Clinic. Copy: Supervisor Daly (118)

From Francisco De Costa, regarding various issues. (119)

From concerned citizens, commenting on the potential of a terrorist-style treat. (2 letters) Copy: Each Supervisor (120)

From Francisco Da Costa, commenting on the old Coca Cola Company on 3rd Street. (121)

From Rich Olen, submitting copy of message sent to Department of Parking and Traffic regarding the lack of notification to the cab industry of extended road closures and blockages over the gay pride weekend. Copy: Each Supervisor (122)

From concerned citizens, regarding withheld public comment at the Board meetings. (123)

From Dennis Billalon, commenting police retirement (124)

From Aileen Brady, commenting on PUC rate increases. (125)

From The San Francisco Retirement System submitting the Cost and Effect Report for proposed amendments to the San Francisco Charter. (126)

From Joan Cotterill, regarding a 72-Hour Hold. (127)

From Spencer Pon regarding the Steiner Street Farmers Market. (128)

From the Landmark Preservation Advisory Board regarding 55 Laguna Street. (129)

From the Commission on the Environment submitting the 2006-07 Attendance Report. (130)

From the Ethic Commission regarding gifts from restricted sources. (131)

From Allen White regarding MTA (132)

From Office of the Mayor, submitting notice of designation of Supervisor Elsbernd as Acting Mayor from Tuesday, July 3, 2007 through Sunday, July 8, 2007 or until the Mayor returns after that date if delayed. (124)

APPOINTMENTS BY THE MAYOR

Police Commission
Thomas Mazzucco

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised July 5, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending Planning Code Section 242 (e)(1)(D) to exempt certain wind power generators from height limitations within the Bernal Heights Special Use District.	070947	Land Use and Economic Development Committee	Supervisor Ammiano	6/26/07	7/26/07
Ordinance amending Administrative Code sections 11.1 and 11.9 to authorize state video franchise holders and personal wireless service carriers to obtain utility conditions permits, requiring persons installing personal wireless service facilities in the public rights-of-way to obtain personal wireless service facilities site permits, imposing fees for personal wireless service facilities site permits, and making environmental findings.	070904	Land Use and Economic Development Committee	Department of Public Works	6/26/07	7/26/07
Ordinance amending Building Code by adding Chapter 13C to require new or added construction over 20,000 square feet to comply with the Leadership in Energy and Environmental Design Gold rating or an equivalent green building standard except for City projects, which are covered by Chapter 7 of SF Environment Code, to authorize Director of Building Inspection to grant an exemption from some of the requirements on the grounds of hardship or infeasibility, to require the Director to grant an exemption if compliance would compromise the historical integrity of an historic structure, and to encourage projects not within the scope of the ordinance to incorporate as many green	070925	Land Use and Economic Development Committee	Peskin	6/19/07	7/19/07

building standards into their construction, as is feasible, adopting findings, including environmental findings and findings required by California Health & Safety Code Section 17958.5					
Ordinance amending Administrative Code Sections 12P 2, 12P 3, 12P 4, 12P 5, 12P 6, 12P 7 and 12P 8, and by adding Sections 12P 5 1, 12P 6 1 and 12P 6 2, to amend the Minimum Compensation Ordinance by making both substantive and clarifying changes with respect to the obligations imposed on Contractors, notification, investigation, auditing, inspection, enforcement and settlement procedures, the withholding of contract payments, provisions relating to waivers; certain definitions, including the definition of Covered Employees; an increase in the hourly wage rate for all employees; the assessment of liquidated damages, and the process for determining whether a Contractor has violated the Ordinance and for the administrative appeal of such determinations.	070921	Land Use and Economic Development Committee	Supervisor Ammiano	6/19/07	7/19/07
Ordinance amending Planning Code Section 121.2 to move Polk Street from a 3,000 square foot lot size limit to a 2,000 square foot lot size limit and by amending Section 723 to provide that commercial and institutional uses in the Polk Street Neighborhood Commercial District are permitted up to 1,999 square feet and allowed as a conditional use for 2,000 square feet and above; adopting findings, including Section 302 findings, environmental findings, and findings of consistency with Section 101.1 and the General Plan.	070851	Land Use and Economic Development Committee	Supervisor Peskin	6/5/07	7/5/07

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 17, 2007 2:00 PM
Regular Meeting

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AARON PESKIN, PRESIDENT

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BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Duffy, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Duffy, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Duffy

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

2nd and 4th Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

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THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

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There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for June 5, 2007, June 12, 2007, and Special Board of Supervisors Meeting of the Budget and Finance Committee for June 6, 2007.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3**Recommendations of the Land Use and Economic Development Committee**

Present: Supervisors Maxwell, Sandoval, McGoldrick

- 1. 070657 [Repealing expired and superceded provision establishing Heavy Truck Loading Zones]**
Supervisor McGoldrick
Ordinance amending the San Francisco Traffic Code by repealing expired Section 33.3.1 establishing heavy truck loading zones, and making a conforming change to Section 132 to eliminate the penalty for violating Section 33.3.1.
(Municipal Transportation Agency)

7/10/2007, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
- 2. 070658 [Eliminating obsolete peddler permitting program that expired in 1989]**
Supervisor McGoldrick
Ordinance amending the San Francisco Traffic Code by amending Section 68 to remove obsolete references to Traffic Zone No. 1 and an expired permitting program for peddlers.
(Municipal Transportation Agency)

7/10/2007, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
- 3. 070659 [Establishing restrictions on trucks and buses on portions of Broderick, Ellis, and Eddy Streets and St. Joseph's Avenue]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Police Code by adding Sections 1183.37 through 1183.40 and amending the San Francisco Traffic Code by adding Sections 28.1.171 through 28.1.174 to establish bus and vehicle weight restrictions on portions of Broderick Street, St. Joseph's Avenue, Eddy Street and Ellis Street.
(Municipal Transportation Agency)

7/10/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2007 nor later than August 1, 2007.)

4. 070773 [Government Funding for Fiscal Year 2007-2008]

Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2008.

(Fiscal Impact.)

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 070774 [Public Employment for Fiscal Year 2007-2008]

Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2008, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal Impact.)

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. **070826** **[Redevelopment Agency Budget and Bonds]**
Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2007-2008, approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed \$125,800,000 to finance a portion of redevelopment activities described in such approved Budget for fiscal year 2007-2008; and approving additional General Fund loans to the Redevelopment Agency in the aggregate amount of \$463,000, consisting of a \$303,000 loan to complete a potential redevelopment plan for the Visitation Valley Survey Area and a \$160,000 loan for Bayview Hunters Point Survey Area C planning costs.
(Redevelopment Agency)
(Fiscal Impact.)
(Supervisor Mirkarimi dissented in committee.)

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Resolution be ADOPTED?

7. **070840** **[Treasure Island Development Authority Budget]**
Mayor
Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2007-2008.
(Fiscal Impact.)

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Resolution be ADOPTED?

8. **070739** **[Accept-Expend Federal Grant - Department of Economic and Workforce Development]**
Supervisor Mirkarimi
Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$200,000 in FY 2006-07 from the Private Industry Council of San Francisco, Inc. for workforce development administration, contracting, and data management, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. **070740** **[Accept-Expend Federal Grant - Department of Economic and Workforce Development]**
Supervisor Mirkarimi
Ordinance authorizing the Department of Economic and Workforce Development to accept and expend a grant in the amount of \$5,765,890 in FY 2007-2008 from the California Employment Development Department for workforce development, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammiano, Elsbernd, Mirkarimi

10. 070808 **[Increasing fees for certain services provided by the Medical Examiner]
Mayor**

Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fees for removal of remains, cremation services, and making environmental findings.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Duffy, Elsbernd, Mirkarimi

11. 070809 **[San Francisco Administrative Code - First Offender Prostitution Program Fee]
Mayor**

Ordinance amending Ordinance No. 289-98 (Sec. 10.193-1 of the Administrative Code of the City and County of San Francisco) establishing the First Offender Prostitution Program Fee, to remove reference to Penal Code Section 647(b), to allow the Office of the District Attorney to send all eligible prostitution-related offenders to the department's First Offender Prostitution Program (FOPP) diversion class.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammiano, Duffy, Mirkarimi, Elsbernd

12. 070810 **[Patient Rates - Public Health]
Mayor**

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2007.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 070811 **[Public Works Code - Fees for various permits]
Mayor**

Ordinance amending Public Works Code Sections 2.1.1, 2.1.2, and 724.1 to update and codify various permit fees, including permits for café tables and chairs, commemorative plaques, debris boxes, driveways, minor sidewalk encroachments, pipe barriers, sidewalks, street encroachments, street improvements, temporary street space occupancy; and making environmental findings.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 070812 [Amending Subsections of Section 106 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits]
Mayor
Ordinance making environmental findings and amending Sections 106.2, 106.3, 106.7, 106.8, 106.9, 106.10, 106.11, 106.15, 106.17 and Tables 106-B and 106-C of the San Francisco Fire Code to increase fees for certain Fire Department services and permits, to become operative on its effective date or on July 1, 2007, whichever is later.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 070813 [Amending Sections of the San Francisco Business and Tax Regulations Code to increase certain Fire Department licensing fees]
Mayor
Ordinance making environmental findings, amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247 of the San Francisco Business and Tax Regulations Code to increase licensing fees for certain permits issued by the Fire Department, and repealing Section 242.1 of the San Francisco Business and Tax Regulations Code, to become operative on its effective date or on July 1, 2007, whichever is later.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 070815 [Recreation and Park Department - Athletic Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.36, to revise the fee schedule for use of athletic fields.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 070816 [Recreation and Park Department - Harding Park Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.12, to revise the time for super twilight play, to establish fees for shotgun tournaments, and to authorize the Recreation and Park Commission to approve special promotions not to exceed a 20% discount of the applicable rate.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 070817 [Recreation and Park Department - Clubhouse Rental Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.21, to increase the fees for renting clubhouses in San Francisco parks.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 070818 [Recreation and Park Department - Junior Golf Tournament Fees]
Mayor
Ordinance making environmental findings and adding San Francisco Park Code, Article 12, Section 12.43, to establish fees for Junior and Family golf tournaments.

7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?
20. 070819 [Recreation and Park Department - Program Fees]
Mayor
Ordinance making environmental findings and adding San Francisco Park Code, Article 12, Section 12.44, to establish a fee structure for recreational programs, subject to the review and approval of the Recreation and Park Commission.

7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?
21. 070820 [Recreation & Park Department - Reservation Administrative Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.45 to establish administrative fees.

7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?
22. 070821 [Recreation & Park Department - Change to Resident Golf Card Fee]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.32, to increase the annual fee for San Francisco Resident Golf Cards from \$40.00 to \$45.00 and imposing administrative fees.

7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?
23. 070822 [Recreation and Park Department - Wedding Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.07, to increase the fees for holding weddings in San Francisco parks.

7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?
24. 070823 [Retiree Health Benefits Fund]
Mayor, Supervisor Elsbernd
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-275, to create a Retiree Health Benefits Fund.
(Mayor)

7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?

- 25. 070849 [Establishing the HOPE SF Fund and provide for appropriations to the Fund]**
Mayor, Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-370, to: establish the HOPE SF Fund; direct the City to appropriate \$5,000,000 to the Fund for FY 2007-2008 and set City policy regarding future appropriations to the Fund; identify the permitted uses of moneys so deposited; and, set forth provisions for the administration of such fund.
(Fiscal Impact.)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?
- 26. 070702 [Second Amendment to Catholic Charities Sublease of Housing Units on Treasure Island]**
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Catholic Charities to increase utility rates.
(Treasure Island Development Authority)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Resolution be ADOPTED?
- 27. 070703 [Second Amendment to Community Housing Partnership Sublease of Housing Units on Treasure Island]**
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Community Housing Partnership to add 42 residential units to the premises, to increase the common area maintenance charge and to increase utility rates.
(Treasure Island Development Authority)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Resolution be ADOPTED?
- 28. 070704 [First Amendment to Haight Ashbury Free Clinics Sublease of Housing Units on Treasure Island]**
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Haight Ashbury Free Clinics to increase utility rates.
(Treasure Island Development Authority)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Resolution be ADOPTED?
- 29. 070705 [First Amendment to Rubicon Programs Sublease of Housing Units on Treasure Island]**
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Rubicon Programs to increase utility rates.
(Treasure Island Development Authority)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Resolution be ADOPTED?

30. 070706 **[First Amendment to Swords to Plowshares Sublease of Housing Units on Treasure Island]**
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Swords to Plowshares to increase utility rates.
(Treasure Island Development Authority)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Resolution be ADOPTED?
31. 070707 **[Second Amendment to Walden House Sublease of Housing Units on Treasure Island]**
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Walden House to add 12 residential units to the premises, to increase the common area maintenance charge and to increase utility rates.
(Treasure Island Development Authority)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Resolution be ADOPTED?
- Present: Supervisors Peskin, Ammiano, Dufty, Elsbernd*
32. 070824 **[Approval of FY07-08 Expenditure Plan for the Human Services Care Fund]**
Mayor
Resolution approving the FY07-08 Expenditure Plan for the Human Services Care Fund.
(Fiscal Impact.)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Resolution be ADOPTED?
33. 070888 **[Jurisdictional transfer of property from DPW to HSA]**
Mayor
Resolution transferring jurisdiction of certain real property located at 1 Cashmere Street (Assessors Block 4720, Lot 7; the Sojourner Truth Child Care Center), 200 Cashmere Street (Assessors Block 4710, Lot 6; the MLK Nursery School), 100 Whitney Young Circle (Assessors Block 4711, Lot 6; the Earl P. Mills Community Center), and 1030 Oakdale Avenue (Assessors Block 4714, Lot 7; the Captain William Sorey Nursery School), from the Department of Public Works to the Human Services Agency.
- 7/10/2007, CONTINUED. Continued to July 17, 2007
Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd

34. 070827 [Disbursements from Budget Savings Fund]

Mayor

Resolution approving disbursements from the Budget Savings Incentive Fund.
(Fiscal Impact.)

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Resolution be ADOPTED?

35. 070885 [Proposition J Contract/Certification of specified contracted-out services for Department of Elections]

Mayor

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for absentee voter ballot distribution services for Department of Elections.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

36. 070887 [Proposition J Contract/Certification of specified contracted-out services for Recreation and Park]

Mayor

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for golf course maintenance services at the Department of Recreation and Parks.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

37. 070730 [Charter Amendment - Renewal of Library Preservation Fund for fifteen-year term and authorization to issue debt for Library purposes secured by and/or repaid from the Fund] Supervisors Peskin, Maxwell, Elsbernd, Alioto-Pier, Mirkarimi, McGoldrick, Dufty, Ammiano
Charter amendment (Second Draft) to repeal the existing Section 16.109 and to add a new Section 16.109, to renew the Library Preservation Fund for fifteen years and to authorize the City and County of San Francisco to issue debt for Library purposes secured by and/or repaid from the Fund.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

38. 070726 [Charter Amendment - Requiring the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board]
Supervisor Daly

Charter amendment (First Draft) to amend Sections 2.103 and 3.100 to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Charter Amendment be SUBMITTED?

39. 070727 [Charter Amendment - MTA budget to be accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality review]

Supervisors McGoldrick, Sandoval

Charter amendment (First Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Charter Amendment be SUBMITTED?

40. 070731 [Charter Amendment - Emissions Reduction and Transit Reform]**Supervisor Peskin**

Charter amendment (First Draft) to amend Sections 8A.101 through 8A.106, 8A.108 through 8A.110, 8A.112 through 8A.113, 9.118, and A8.404, repealing Section 16.110; and by re-numbering Sections 16.100 and 16.102 as 8A.114 and 8A.115, respectively, all to increase the efficiency, effectiveness and autonomy of the Municipal Transportation Agency.

7/10/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Charter Amendment be SUBMITTED?

Board of Supervisors Sitting as a Committee of the Whole

41. 070724 [Charter Amendment - San Francisco Affordable Housing Fund]
Supervisors Daly, Ammiano
Charter amendment (Third Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of an annual tax of two and one-half cents [\$0.025] on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor to prepare an affordable housing plan every three (3) years; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and setting an expiration date of July 1, 2023.
- 7/10/2007, AMENDED.
7/10/2007, CONTINUED AS AMENDED. Continued to July 17, 2007 with the Board Sitting as a Committee of the Whole
Supervisor Ammiano requested to be added as a co-sponsor.
Question: Shall this Charter Amendment be SUBMITTED?
42. 070938 [Charter Amendment - To provide retirement benefits for police department employees who were also airport police officers prior to December 27, 1997, as if they had been members of the police department during their service as airport police officers]
Supervisor McGoldrick
Charter amendment (Fourth Draft) to amend Sections A8.506-2 and A8.597-11(a) to authorize the Board of Supervisors to amend a contract with the Public Employees Retirement System in order to transfer to the San Francisco Employees' Retirement System the assets and liabilities of certain airport police officers, and by adding Section A8.597-10(d) to include time worked as an airport police officer in the calculation for retirement benefits for police department employees.
- 7/10/2007, AMENDED.
7/10/2007, CONTINUED AS AMENDED. Continued to July 17, 2007 with the Board Sitting as a Committee of the Whole
Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Ammiano, Duffy, Mirkarimi, Elsbernd

43. 070814 [Increasing permit and license fees for motor vehicle for hire permits]
Mayor
Ordinance amending the San Francisco Police Code by amending Sections 2.26.1 and 2.27.1, to increase permit and license fees for certain motor vehicle for hire permits, and to repeal obsolete provisions; amending Police Code Section 2.31 to authorize an annual adjustment to such fees to match changes in the Consumer Price Index; and ratifying fees previously collected.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

44. 070769 [Amending a contract with anticipated expenditure in excess of \$10 million]
Resolution approving the Eighth Amendment to the agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, increasing the total compensation to the Contractor by \$1.3 million to \$12,415,000, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Duffy

45. 070682 [Prohibition of possession or sale of firearms or ammunition on county property]
Mayor, Supervisors Maxwell, Mirkarimi
Ordinance amending the San Francisco Police Code by adding Section 617 to prohibit the possession or sale of firearms or ammunition on property controlled by the City and County of San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 070683 [Requirement that firearms located within a residence be kept in a locked container or secured with a trigger lock]
Mayor, Supervisors Maxwell, Mirkarimi
Ordinance amending the San Francisco Police Code by adding Section 4512 to require that all handguns located within a residence be kept in a locked container or disabled with a trigger lock.

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 070684 [Requiring dealers to inventory firearms every six months]
Mayor, Supervisors Maxwell, Mirkarimi
Ordinance amending the San Francisco Police Code by amending Section 613.10 to require licensed firearms dealers to transmit to the Chief of Police an inventory of firearms every six months.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

48. 070964 [Appointment - Association of Bay Area Governments Executive Board]
Resolution appointing Supervisor Chris Daly and Supervisor Ross Mirkarimi, terms ending June 30, 2009, to the Association of Bay Area Governments Executive Board.
Supervisor Chris Daly, succeeding himself, term expired, seat 1, must be a member of the Board of Supervisors, for a new two-year term ending June 30, 2009.
Supervisor Ross Mirkarimi, succeeding himself, term expired, seat 2, must be a member of the Board of Supervisors, for a new two-year term ending June 30, 2009.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

49. 070708 [Public Hearing - Appeal of Final Mitigated Negative Declaration - 3400 Cesar Chavez Street] Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on April 19, 2007, approving a Final Mitigated Negative Declaration (File No. 2005.0030E), for the proposed demolition of the existing building and construction of a new four-story building that would house a Walgreens store and up to three other small retail spaces on the ground floor, as well as 60 one-, two-, and three-bedroom owner-occupied residential units above. The building would be about 115,000 gross square feet in size and approximately 50 feet in height. A total of about 97 parking spaces would be provided, with most located in a basement parking garage. The ground-floor retail stores would serve as a podium for a residential courtyard above. Access to the residential and employee parking garage would be from Bartlett Street, while access to surface-level customer parking for the retail stores would be from Cesar Chavez Street. The project site is located within an NC-3 (Moderate Scale Neighborhood Commercial) zoning district and within a 50-X height and bulk district in the Mission neighborhood. (Appellant: Nick Pagoulatos on behalf of the Mission Anti-displacement Coalition.)
(Filed May 22, 2007; companion measure to Files 070709, 070710, 070711, District 9.)

6/26/2007, CONTINUED. Continued to July 17, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

50. 070709 [Affirming adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street Project]
Motion affirming Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

6/26/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Motion be APPROVED?

51. 070710 [Reversing adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street Project]
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

6/26/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Motion be APPROVED?

52. 070711 [Preparation of findings to reverse adoption of the mitigated negative declaration for 3400 Cesar Chavez Street]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

6/26/2007, CONTINUED. Continued to July 17, 2007

Question: Shall this Motion be APPROVED?

53. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

54. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 55 through 58

55. 071010 [Zoning - Extension of Planning Commission review period]
Supervisor McGoldrick
Resolution extending by an additional 45 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Planning Code Sections 315.3 and 315.6 of the Residential Inclusionary Affordable Housing Program to extend the requirements of the Program from all housing projects of five (5) units or more to all housing projects of two (2) units or more.
- 7/10/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
56. 071011 [Endorsing the 2007 Immigrant Rights Summit]
Supervisors Ammiano, Daly, Alioto-Pier, Maxwell, Sandoval, Dufty, Peskin
Resolution endorsing the 2007 Immigrant Rights Summit to be convened at the Bill Graham Civic Auditorium and declaring September 15, 2007 as Immigrant Rights Day in the City and County of San Francisco.
- 7/10/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
57. 071012 [New Portola Branch Library groundbreaking]
Supervisors Maxwell, Ammiano
Resolution recognizing the groundbreaking ceremony for the new Portola Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.
- 7/10/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

58. 071013 [Accept and Expend Foundation Grant - Department of the Environment]**Supervisor Maxwell**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$15,000 from the California Breathing for the purpose of implementing the Bayview Hunters Point (BVHP) Healthy Homes Project.

7/10/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

59. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION**PROPOSED ORDINANCES**

Proposed ordinances received from July 3, 2007 through July 9, 2007 for reference by the President to appropriate committee on July 17, 2007.

070993 [Settlement of Lawsuit - Francisco Moreno, et al.]

Ordinance authorizing settlement of the lawsuit filed by Francisco Moreno, Maria Govea, Mauricio Moreno and Nancy Moreno against the City and County of San Francisco for \$112,000; the lawsuit was filed on November 18, 2005 in United States District Court, Case No. C05-4752; entitled Francisco Moreno, et al. v. City and County of San Francisco, et al.
(City Attorney)

7/9/2007, RECEIVED AND ASSIGNED to Rules Committee.

070994 [Settlement of Lawsuit - Dave Alba et al.]

Ordinance authorizing the settlement of a lawsuit filed by Dave Alba et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$625,000.000; the lawsuit was filed on April 22, 2005, in the United States District Court for the Northern District, Case No. C05-01667, entitled Dave Alba, et al., v. City and County of San Francisco.
(City Attorney)

7/9/2007, RECEIVED AND ASSIGNED to Rules Committee.

**070998 [MOU, San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2)]
Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2), to be effective July 1, 2007 through June 30, 2011.

7/10/2007, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 3, 2007 through July 9, 2007 for reference by the President to appropriate committee on July 17, 2007.

070995 [Settlement of Claim - Alexa Internet]

Resolution approving the settlement of the unlitigated Claim No. 07-02244 filed by Alexa Internet on February 28, 2007 against the City and County of San Francisco for business payroll tax refund under the Federal Enclave Presidio Exemption in the amount of \$86,586.87.
(City Attorney)

7/9/2007, RECEIVED AND ASSIGNED to Rules Committee.

070996 [Raising a contract's dollar amount to more than \$10 million]

Resolution approving the Third Amendment to the Agreement between the City and County of San Francisco (City) and Office Depot (Contractor) for office supplies, increasing the Agreement's not-to-exceed amount to more than \$10 million, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)

7/9/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070997 [MOU, San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]
Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1), to be effective July 1, 2007 through June 30, 2011.

7/10/2007, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED MOTIONS

None

071041 [Petition and Communications]

Petitions and Communications received from July 3, 2007 through July 9, 2007 for reference by the President to July 17, 2007.

From various City departments, submitting list of sole source contracts entered into during fiscal year 2006-2007: (1)

Employees' Retirement System

Mayor's Office

Department of Economic and Workforce Development

Mayor's Office of Community Development/Housing

San Francisco International Airport

From Public Utilities Commission, regarding status on removing graffiti on metal and wooden poles at various locations in District 5. (Reference 20070605-003) Copy: Supervisor Mirkarimi (2)

From Public Utilities Commission, regarding status on removing graffiti at various locations in District 5. (Reference 20070612-004) Copy: Supervisor Mirkarimi (3)

From Public Utilities Commission, regarding status on removing graffiti various locations in District 5. (Reference 20070619-004) Copy: Supervisor Mirkarimi (4)

From Office of the Legislative Analyst, regarding natural areas management plans. File 061559 (5)

From Mayor Gavin Newsom, regarding signing two ordinances which together represent an initial step toward Community Choice Aggregation (CCA) for San Francisco. Copy: Each Supervisor, City Attorney (6)

From Planning Department, submitting summary of program Environmental Impact Report for the San Francisco Public Utilities Commission's water system improvement program. Copy: Each Supervisor (7)

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for Holiday Inn Civic Center. (8)

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for SMG (S.F. Convention Facilities). (9)

From Office of the Public Defender, submitting request for waiver of Administrative Code Chapter 12B for Chevron USA, Inc. (10)

From Department of Public Health, submitting monthly STD report for May 2007. (11)

From Vincent Poy, Ph.D, regarding the San Francisco Housing Authority. (12)

From concerned citizens, urging the Board to keep "Buster's Place" open. File 070773, 2 letters (13)

From Art Walker, submitting copy of letter written to the United Administrators of San Francisco. 2 letters (14)

From concerned citizens, submitting support for Fleet Week in San Francisco. File 070931, Copy: Each Supervisor, 2 letters (15)

From concerned citizens, submitting opposition to the proposed 2007-2008 water and wastewater rates adopted by the San Francisco Public Utilities Commission. File 070919, 14 letters (16)

From concerned citizens, urging the Board to vote against the proposed ordinance to ban firearms on County property. File 070682, Copy: Each Supervisor, 3 letters (17)

From concerned citizens, urging the Board to vote against the proposed ordinance for mandatory dealer inventory. File 070684, Copy: Each Supervisor, 3 letters (18)

From concerned citizens, urging the Board to vote against the proposed handgun storage ordinance. File 070683, Copy: Each Supervisor, 4 letters (19)

From concerned citizens, urging the Board to vote against the proposed gun offender registry ordinance. File 070689, Copy: Each Supervisor, 2 letters (20)

From concerned citizens, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 2 letters (21)

From Francisco Da Costa, commenting on various issues with Lennar BVHP LLC. (22)

From Francisco Da Costa, commenting on the San Francisco Health Department. (23)

From Kim Crossman, regarding National Legislative XML. (24)

From Ted Trahan, commenting on various issues and concerns regarding Supervisor Jew. (25)

From Vicki Leidner, submitting support for the implementation of Community Choice Aggregation in San Francisco. (26)

From Ethics Commission, submitting Report of Payments Made at the Behest of an Elected Officer for Supervisor Peskin. (27)

From Kerry Hamill, regarding BART summer youth tours. Copy: Each Supervisor (28)

From Senator Dianne Feinstein, submitting copy of letter written to Supervisor Peskin. Copy: Each Supervisor (29)

From Unite Here! Strategic Affairs, submitting support for the appointment of Alan Flum to the Sweatfree Advisory Group. (30)

From Linda Tichy, commenting on the need for newspaper recycling. Copy: Each Supervisor (31)

From Library Users Association, regarding library funding ballot measure. (32)

From Christian Holmer, regarding immediate disclosure requests from various City departments. 3 letters (33)

From concerned citizens, commenting on various issues in opposition to the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 6 letters (34)

From Fire Department, submitting Fire/Life Safety Inspection Report for San Francisco Youth Guidance/Juvenile Hall. (35)

From Police Department, submitting request for waiver of Administrative Code 12B and 12C for Chevron USA, Inc. (36)

From Department of Public Works, regarding restoration of Wilder Avenue for main sewer installation by A. Ruiz Construction. (37)

From Recreation and Park Commission, submitting policy on naming and/or changing the designation of facilities, resolution no. 12470. Copy: Each Supervisor (38)

From concerned citizens, urging the Board to adopt the proposed 2007-2008 budget as it relates to the Neighborhood Emergency Response Team. File 070773, Copy: Each Supervisor, 3 letters (39)

From Charles Bolton, regarding the 3400 Cesar Chavez Project (Kelly-Moore site) Negative Declaration appeal. File 070708 (40)

From John Kollins, submitting opposition to the proposed Universal Healthcare policy. (41)

From Lennar Urban, regarding the first phase of redevelopment at the Hunters Point Shipyard. File 070881, (42)

From San Francisco Council of District Merchants Associations, regarding the Marina Certified Farmers' Market. File 070846, Copy: Each Supervisor (43)

From Gregory D. Brown MPA, commenting on San Francisco's golf courses. File 070961 (42)

From Marylyn Tesconi, commenting on the Lorraine Hansberry Theatre. File 070935 (43)

From Office of the Controller/City Services Auditor, submitting report concerning the review of The Family School and its compliance with the City ordinance prohibiting the use of City funds for political activity. (44)

From Department of Public Health, submitting status report on the San Francisco health care security ordinance. (45)

From The Original Library Movement, regarding the Library preservation fund. File 070730, Copy: Each Supervisor (46)

From San Francisco Beautiful, submitting opposition to Assembly Bill 830 that would allow for the conversion of existing billboards along California's landscaped highways to digital format. File 070957, Copy: Each Supervisor (47)

From Fire Department, submitting Fire/Life Safety Inspection Report for the San Francisco County Jail #2, 850 Bryant Street. (48)

From Kimo Crossman, regarding an immediate disclosure request from Supervisor Peskin's office. (49)

From Municipal Transportation Agency, regarding status on pedestrian safety measures at the intersection of Portola Drive, Vicente Street and Santa Clara Avenue. (Reference 20070605-001) Copy: Supervisor Elsbernd (50)

From Cory Chechile, commenting on skateboard parks in San Francisco. (51)

From Parkmerced Residents' Organization, commenting on issues relative to the Parkmerced community. Copy: Land Use & Economic Development Committee Members, 2 letters (52)

From Clerk of the Board, regarding Diversity Tracking System, Administrative Code, Section 12D.A.18(D). (53)

APPOINTMENTS BY THE MAYOR

Human Rights Commission
Michael A. Sweet

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised July 12, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending the San Francisco Building Code by adding new section to require applicants for permits to construct new buildings or demolish or add to existing buildings to control dust during site preparation activities.	071009	Land Use and Economic Development Committee	Supervisors Maxwell, Peskin, Ammiano	7/10/07	8/9/07
Ordinance approving the Laguna, Haight, Buchanan, and Hermann Streets Special Use District (SUD) by amending the San Francisco Planning Code by adding Section 249.32 to create a new SUD bounded by Laguna, Haight, Buchanan and Hermann Streets (Assessor's Blocks 857 and portions of Assessor's Block 870) to permit a mixed-use project at the former UC Berkeley Extension property; and adopting findings, including findings under the California Environmental Quality Act.	071002	Land Use and Economic Development Committee	Supervisor Ammiano	7/10/07	8/9/07
Ordinance amending Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Blocks 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District) or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; adopting findings, including findings under the California	071001	Land Use and Economic Development Committee	Supervisor Ammiano	7/10/07	8/9/07

Environmental Quality Act.					
Ordinance amending Planning Code Section 242 (e)(1)(D) to exempt certain wind power generators from height limitations within the Bernal Heights Special Use District.	070947	Land Use and Economic Development Committee	Supervisor Ammiano	6/26/07	7/26/07
Ordinance amending Administrative Code sections 11.1 and 11.9 to authorize state video franchise holders and personal wireless service carriers to obtain utility conditions permits, requiring persons installing personal wireless service facilities in the public rights-of-way to obtain personal wireless service facilities site permits, imposing fees for personal wireless service facilities site permits, and making environmental findings.	070904	Land Use and Economic Development Committee	Department of Public Works	6/26/07	7/26/07
Ordinance amending Building Code by adding Chapter 13C to require new or added construction over 20,000 square feet to comply with the Leadership in Energy and Environmental Design Gold rating or an equivalent green building standard except for City projects, which are covered by Chapter 7 of SF Environment Code, to authorize Director of Building Inspection to grant an exemption from some of the requirements on the grounds of hardship or infeasibility, to require the Director to grant an exemption if compliance would compromise the historical integrity of an historic structure, and to encourage projects not within the scope of the ordinance to incorporate as many green building standards into their construction as is feasible; adopting findings, including environmental findings and findings required by	070925	Land Use and Economic Development Committee	Peskin	6/19/07	7/19/07

Ordinance amending Administrative Code Sections 12P.2, 12P.3, 12P.4, 12P.5, 12P.6, 12P.7 and 12P.8, and by adding Sections 12P.5.1, 12P.6.1 and 12P.6.2, to amend the Minimum Compensation Ordinance by making both substantive and clarifying changes with respect to: the obligations imposed on Contractors; notification, investigation, auditing, inspection, enforcement and settlement procedures; the withholding of contract payments; provisions relating to waivers; certain definitions, including the definition of Covered Employees; an increase in the hourly wage rate for all employees; the assessment of liquidated damages; and the process for determining whether a Contractor has violated the Ordinance and for the administrative appeal of such determinations.	070921	Land Use and Economic Development Committee	Supervisor Ammiano	6/19/07	7/19/07

Environmental Quality Act					
Ordinance amending Planning Code Section 242 (e)(1)(D) to exempt certain wind power generators from height limitations within the Bernal Heights Special Use District.	070947	Land Use and Economic Development Committee	Supervisor Ammiano	6/26/07	7/26/07
Ordinance amending Administrative Code sections 11.1 and 11.9 to authorize state video franchise holders and personal wireless service carriers to obtain utility conditions permits, requiring persons installing personal wireless service facilities in the public rights-of-way to obtain personal wireless service facilities site permits, imposing fees for personal wireless service facilities site permits, and making environmental findings.	070904	Land Use and Economic Development Committee	Department of Public Works	6/26/07	7/26/07
Ordinance amending Building Code by adding Chapter 13C to require new or added construction over 20,000 square feet to comply with the Leadership in Energy and Environmental Design Gold rating or an equivalent green building standard except for City projects, which are covered by Chapter 7 of SF Environment Code, to authorize Director of Building Inspection to grant an exemption from some of the requirements on the grounds of hardship or infeasibility, to require the Director to grant an exemption if compliance would compromise the historical integrity of an historic structure, and to encourage projects not within the scope of the ordinance to incorporate as many green building standards into their construction as is feasible; adopting findings, including environmental findings and findings required by	070925	Land Use and Economic Development Committee	Peskin	6/19/07	7/19/07

California Health & Safety Code Section 17958.5.					
Ordinance amending Administrative Code Sections 12P.2, 12P.3, 12P.4, 12P.5, 12P.6, 12P.7 and 12P.8, and by adding Sections 12P.5.1, 12P.6.1 and 12P.6.2, to amend the Minimum Compensation Ordinance by making both substantive and clarifying changes with respect to: the obligations imposed on Contractors; notification, investigation, auditing, inspection, enforcement and settlement procedures; the withholding of contract payments; provisions relating to waivers; certain definitions, including the definition of Covered Employees; an increase in the hourly wage rate for all employees; the assessment of liquidated damages; and the process for determining whether a Contractor has violated the Ordinance and for the administrative appeal of such determinations.	070921	Land Use and Economic Development Committee	Supervisor Ammiano	6/19/07	7/19/07

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 24, 2007 2:00 PM

JUL 19 2007

SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Duffy, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Duffy, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynn

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Duffy

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

2nd and 4th Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for June 19, 2007.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition 1 in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Jew

1. 070692 **[Liquor License, 2078 Chestnut Street]**
Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Sylvia Mania for K.I.S.S. Candy Company LLC dba Luv Box located at 2078 Chestnut Street (District 2), will serve the convenience of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?
2. 070889 **[Grant funds to support the California School Health Association project]**
Supervisor Sandoval
Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend grant funds in the amount of \$23,423 from the San Francisco Public Health Foundation to partially pay the salary and fringe benefits for an Assistant Health Educator to work at the Balboa Teen Health Center and to support the California School Health Association project; for the period of March 1, 2007 through June 30, 2008.

Question: Shall this Resolution be ADOPTED?
3. 070927 **[Grant of Regional Funds - Municipal Transportation Agency]**
Mayor
Resolution authorizing the Municipal Transportation Agency to accept and expend \$450,000 of TransLink® funds from the Metropolitan Transportation Commission to provide resources to oversee the installation and testing of TransLink® equipment on Muni vehicles.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

4. 070909 [Adopting findings related to affirming the categorical exemption issued for the 1135-1139 Green Street project]
Motion adopting findings related to affirming the determination by the Planning Department that the 1135-1139 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Board of Supervisors)
- 7/13/2007, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?
5. 071046 [Adopting findings related to the disapproval of the Tentative Parcel Map for 4344 17th Street]
Motion adopting findings related to the disapproval of a 3-lot Tentative Parcel Map for 4344 17th Street, Assessor's Block 2646, Lot 054.
- 7/13/2007, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2007 nor later than August 1, 2007.)

6. 070773 [Government Funding for Fiscal Year 2007-2008]
Mayor
Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2008.
(Fiscal Impact.)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
7/17/2007, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

7. 070774 [Public Employment for Fiscal Year 2007-2008]**Mayor**

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2008, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal Impact.)

7/10/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 070739 [Accept-Expend Federal Grant - Department of Economic and Workforce Development] Supervisor Mirkarimi

Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$200,000 in FY 2006-07 from the Private Industry Council of San Francisco, Inc. for workforce development administration, contracting, and data management, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

7/10/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 070740 [Accept-Expend Federal Grant - Department of Economic and Workforce Development] Supervisor Mirkarimi

Ordinance authorizing the Department of Economic and Workforce Development to accept and expend a grant in the amount of \$5,765,890 in FY 2007-2008 from the California Employment Development Department for workforce development, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

7/10/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Ammiano, Elsbernd, Mirkarimi

10. 070808 [Increasing fees for certain services provided by the Medical Examiner]**Mayor**

Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fees for removal of remains, cremation services, and making environmental findings.

7/10/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Ammiano, Duffy, Mirkarimi, Elsbernd

11. 070810 [Patient Rates - Public Health]
Mayor
Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2007.
- 7/10/2007, CONTINUED. Continued to July 17, 2007
7/17/2007, PASSED ON FIRST READING
Question: Shall this Ordinance be FINALLY PASSED?
12. 070811 [Public Works Code - Fees for various permits]
Mayor
Ordinance amending Public Works Code Sections 2.1.1, 2.1.2, and 724.1 to update and codify various permit fees, including permits for café tables and chairs, commemorative plaques, debris boxes, driveways, minor sidewalk encroachments, pipe barriers, sidewalks, street encroachments, street improvements, temporary street space occupancy; and making environmental findings.
- 7/10/2007, CONTINUED. Continued to July 17, 2007
7/17/2007, PASSED ON FIRST READING
Question: Shall this Ordinance be FINALLY PASSED?
13. 070812 [Amending Subsections of Section 106 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits]
Mayor
Ordinance making environmental findings and amending Sections 106.2, 106.3, 106.7, 106.8, 106.9, 106.10, 106.11, 106.15, 106.17 and Tables 106-B and 106-C of the San Francisco Fire Code to increase fees for certain Fire Department services and permits, to become operative on its effective date or on July 1, 2007, whichever is later.
- 7/10/2007, CONTINUED. Continued to July 17, 2007
7/17/2007, PASSED ON FIRST READING
Question: Shall this Ordinance be FINALLY PASSED?
14. 070813 [Amending Sections of the San Francisco Business and Tax Regulations Code to increase certain Fire Department licensing fees]
Mayor
Ordinance making environmental findings, amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247 of the San Francisco Business and Tax Regulations Code to increase licensing fees for certain permits issued by the Fire Department, and repealing Section 242.1 of the San Francisco Business and Tax Regulations Code, to become operative on its effective date or on July 1, 2007, whichever is later.
- 7/10/2007, CONTINUED. Continued to July 17, 2007
7/17/2007, PASSED ON FIRST READING
Question: Shall this Ordinance be FINALLY PASSED?

15. 070815 [Recreation and Park Department - Athletic Fees]**Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.36, to revise the fee schedule for use of athletic fields.

7/10/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 070816 [Recreation and Park Department - Harding Park Fees]**Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.12, to revise the time for super twilight play, to establish fees for shotgun tournaments, and to authorize the Recreation and Park Commission to approve special promotions not to exceed a 20% discount of the applicable rate.

7/10/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 070817 [Recreation and Park Department - Clubhouse Rental Fees]**Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.21, to increase the fees for renting clubhouses in San Francisco parks.

7/10/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

18. 070818 [Recreation and Park Department - Junior Golf Tournament Fees]**Mayor**

Ordinance making environmental findings and adding San Francisco Park Code, Article 12, Section 12.43, to establish fees for Junior and Family golf tournaments.

7/10/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. 070819 [Recreation and Park Department - Program Fees]**Mayor**

Ordinance making environmental findings and adding San Francisco Park Code, Article 12, Section 12.44, to establish a fee structure for recreational programs, subject to the review and approval of the Recreation and Park Commission.

7/10/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20. 070820 [Recreation & Park Department - Reservation Administrative Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.45 to establish administrative fees.
- 7/10/2007, CONTINUED. Continued to July 17, 2007
7/17/2007, PASSED ON FIRST READING
Question: Shall this Ordinance be **FINALLY PASSED**?
21. 070821 [Recreation & Park Department - Change to Resident Golf Card Fee]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.32, to increase the annual fee for San Francisco Resident Golf Cards from \$40.00 to \$45.00 and imposing administrative fees.
- 7/10/2007, CONTINUED. Continued to July 17, 2007
7/17/2007, PASSED ON FIRST READING
Question: Shall this Ordinance be **FINALLY PASSED**?
22. 070822 [Recreation and Park Department - Wedding Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.07, to increase the fees for holding weddings in San Francisco parks.
- 7/10/2007, CONTINUED. Continued to July 17, 2007
7/17/2007, PASSED ON FIRST READING
Question: Shall this Ordinance be **FINALLY PASSED**?
23. 070823 [Retiree Health Benefits Fund]
Mayor, Supervisor Elsbernd
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-275, to create a Retiree Health Benefits Fund.
(Mayor)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
7/17/2007, PASSED ON FIRST READING
Question: Shall this Ordinance be **FINALLY PASSED**?
24. 070849 [Establishing the HOPE SF Fund and provide for appropriations to the Fund]
Mayor, Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-370, to: establish the HOPE SF Fund; direct the City to appropriate \$5,000,000 to the Fund for FY 2007-2008 and set City policy regarding future appropriations to the Fund; identify the permitted uses of moneys so deposited; and, set forth provisions for the administration of such fund.
(Fiscal Impact.)
- 7/10/2007, CONTINUED. Continued to July 17, 2007
7/17/2007, PASSED ON FIRST READING
Question: Shall this Ordinance be **FINALLY PASSED**?

25. 070814 [Increasing permit and license fees for motor vehicle for hire permits]
Mayor
Ordinance amending the San Francisco Police Code by amending Sections 2.26.1 and 2.27.1, to increase permit and license fees for certain motor vehicle for hire permits, and to repeal obsolete provisions; amending Police Code Section 2.31 to authorize an annual adjustment to such fees to match changes in the Consumer Price Index; and ratifying fees previously collected.

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Duffy

26. 070682 [Prohibition of possession or sale of firearms or ammunition on county property]
Mayor, Supervisors Maxwell, Mirkarimi
Ordinance amending the San Francisco Police Code by adding Section 617 to prohibit the possession or sale of firearms or ammunition on property controlled by the City and County of San Francisco.

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

27. 070683 [Requirement that firearms located within a residence be kept in a locked container or secured with a trigger lock]
Mayor, Supervisors Maxwell, Mirkarimi
Ordinance amending the San Francisco Police Code by adding Section 4512 to require that all handguns located within a residence be kept in a locked container or disabled with a trigger lock.

7/17/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/17/2007, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

28. 070684 [Requiring dealers to inventory firearms every six months]
Mayor, Supervisors Maxwell, Mirkarimi
Ordinance amending the San Francisco Police Code by amending Section 613.10 to require licensed firearms dealers to transmit to the Chief of Police an inventory of firearms every six months.

7/17/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee Without Recommendation**29. 070731 [Charter Amendment - Emissions Reduction and Transit Reform]**

Supervisor Peskin

Charter amendment (First Draft) to amend Sections 8A.101 through 8A.106, 8A.108 through 8A.110, 8A.112 through 8A.113, 9.118, and A8.404, repealing Section 16.110; and by re-numbering Sections 16.100 and 16.102 as 8A.114 and 8A.115, respectively, all to increase the efficiency, effectiveness and autonomy of the Municipal Transportation Agency.

7/10/2007, CONTINUED Continued to July 17, 2007

7/17/2007, CONTINUED Continued to July 24, 2007

Question: Shall this Charter Amendment be SUBMITTED?

Board of Supervisors Sitting as a Committee of the WholeFrom the Rules Committee Without Recommendation**30. 070727 [Charter Amendment - MTA budget to be accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality review]**

Supervisors McGoldrick, Sandoval

Charter amendment (First Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

7/10/2007, CONTINUED Continued to July 17, 2007

7/17/2007, CONTINUED AS AMENDED Continued to July 24, 2007 with the Board Sitting as a Committee of the Whole

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

31. 070926 [Designating a sole source contractor to provide healthcare coverage to certain eligible temporary exempt as-needed SEIU City employees]
Mayor
Ordinance authorizing the Department of Human Resources to execute a contract with the San Francisco Health Plan to administer healthcare coverage to certain eligible temporary exempt as-needed City employees who are members of SEIU locals 535, 790 and UHW; and granting a waiver to the competitive procurement requirements of San Francisco Administrative Code Chapter 21. (Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

32. 070444 [Residential Inclusionary Affordable Housing Requirements]
Supervisor Sandoval
Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, to require the Mayor's Office of Housing to establish minimum qualifications for firms that market below market-rate units; and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 070679 [Residential Rental Units: Lock Replacements by Landlord When Tenants Vacate]
Supervisor McGoldrick

Ordinance amending the Administrative Code by adding Chapter 49B to provide that when a rental unit is permanently vacated by all tenants the landlord must re-key or replace all door locks that are exclusive to that unit, including doors to storage units and garages.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 3:30 P.M.

APPEAL PROCEDURES

Board Rule 4 29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

34. 070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)
(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

35. 070968 [Minor Sidewalk Encroachment Permit Appeal]
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

Question: Shall this Motion be APPROVED?

36. 070969 [Minor Sidewalk Encroachment Permit Appeal]
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

37. 070910 [Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]
Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

38. 070911 [Affirming the categorical exemption issued for the 3424 Jackson Street project]
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
39. 070912 [Disapproving the categorical exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
40. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

41. 070800 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review - Citywide Wireless Broadband Internet Access Network Ordinance]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated April 20, 2007, Case No. 2007.0097E, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301(b), 15303(d), & 15303(e); Class Numbers 1 and 3], the proposed project is an ordinance proposed by the Mayor (Board File No. 070077) that would approve one or more agreements (hereafter "the Agreement") between EarthLink, Inc. and the City and County of San Francisco. The Agreement would permit EarthLink to manage, operate, and install within the City rights-of-way a citywide wireless broadband internet access network that would provide free or affordable internet access for San Francisco residents, workers, and visitors. The project would involve installation within the City rights-of-way of a communications system consisting of two types of above-ground equipment: transmitters and backhaul devices. The Agreement does not specify proposed locations for the communications equipment, and EarthLink has not yet selected such locations. (Appellant: Jeff Hoffman, on behalf of the San Francisco Neighborhood Antenna Free Union (SNAFU).)
(Filed May 30, 2007; companion measure to Files 070801, 070802, 070803.)

7/10/2007, CONTINUED. Continued to July 24, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

42. 070801 **[Affirming the categorical exemption issued for the Citywide Wireless Broadband Internet Access Network Ordinance]**
Motion affirming the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is categorically exempt from environmental review under the California Environmental Quality Act.
- 7/10/2007, CONTINUED. Continued to July 24, 2007
Question: Shall this Motion be APPROVED?
43. 070802 **[Disapproving the categorical exemption issued for the Citywide Wireless Broadband Internet Access Network Ordinance]**
Motion disapproving the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is categorically exempt from environmental review under the California Environmental Quality Act.

7/10/2007, CONTINUED. Continued to July 24, 2007

Question: Shall this Motion be APPROVED?

44. 070803 [Preparation of findings related to the appeal of the categorical exemption for the Citywide Wireless Broadband Internet Access Network Ordinance]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is exempt from environmental review under the California Environmental Quality Act.

7/16/2007 CONTINUED Continued to July 24, 2007

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered at a Special Government Audit and Oversight Committee on July 23, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 24, 2007.

**45. 070828 [Open Space Fund Financing]
Mayor**

Ordinance approving the issuance and sale of lease revenue bonds payable from the Park, Recreation and Open Space Fund to finance various park projects as further described herein; approving the form of a First Amendment to Site Lease by and between the City and County of San Francisco Finance Corporation (the "Corporation") and the City and County of San Francisco (the "City") relating to certain City-owned properties located in the City (as further described herein); approving the form of a First Supplemental Lease by and between the Corporation and the City; approving the form of a First Supplemental Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); approving the form of an Assignment Agreement by and between the Corporation and a trustee; approving the form of an official notice of sale and a notice of intention to sell the lease revenue bonds; directing the publication of the notice of intention to sell the lease revenue bonds; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; authorizing the payment of costs of issuance; authorizing reimbursement of certain expenditures; authorizing the establishment of a contingency fund; adopting findings under the California Environmental Quality Act and findings pursuant to City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith. (Supervisor Peskin submitted a substitute ordinance bearing same title; Fiscal Impact.) (No Economic Impact)

6/26/2007, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 070746 [Lease of Real Property at 760 Harrison Street]

Resolution authorizing extension of a lease of real property at 760 Harrison Street for the Department of Public Health.
(Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

47. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

48. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 47 through 53

49. 071058 [Support for development of City-owned electric generation project]
Supervisor Maxwell
Resolution urging the Public Utilities Commission to move expeditiously to complete and present for Board of Supervisors consideration agreements necessary for the development of a City-owned combustion turbine project to promote the goals of the City's Electricity Resource Plan.

7/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
50. 071059 [Accept-Expend US Department of Homeland Security/Transportation Security Administration Grant]
Supervisor Alioto-Pier
Resolution authorizing the Department of Airport Commission to accept and expend a grant in the amount of \$1,375,694 from the US Department of Homeland Security/Transportation Security Administration (TSA) for an Airport perimeter Security Technology Enhancement Program.

7/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

51. 071060 [Commending KDRC and SJVPA on installing the nation's largest planned solar power generating facility]
Supervisor Mirkarimi
Resolution commending San Joaquin Valley Power Authority on its plans to install the nation's largest planned solar power generating facility and retaining a San Francisco-based company to build the facility and urging the San Francisco Public Utilities Commission to expeditiously pursue Community Choice Aggregation for the City and County of San Francisco.

7/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 071061 [Supporting the reclassification of "Alcopop" type flavored malt beverages from a beer/wine product to a distilled spirit product]
Supervisors Mirkarimi, Ammiano
Resolution supporting the reclassification of "Alcopop" type flavored malt beverages from a beer/wine product to a distilled spirit product.

7/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 071020 [Final Map - 1901 17th Street]
Motion approving Final Map 4379, a 165 Residential Unit and a 3 Commercial Unit Mixed-Use Condominium Project, located at 1901 17th Street being a subdivision of Lot 001 in Assessors Block No. 3978 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 176,978; District 10.)

7/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

54. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 10, 2007 through July 16, 2007 for reference by the President to appropriate committee on July 24, 2007.

- 070162 [Reserved Funds, Department of Emergency Management, Division of Emergency Services]
Hearing to consider release of reserved funds Department of Emergency Management, Division of Emergency Services (DEM) fiscal year 2005 Homeland Security Grant funds in the amount of \$891,500 for Emergency Operations Center (EOC) Renovation.

3/7/2007. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071063 [Authorizing the Committee on Information Technology to amend its contract with Central Computer Systems by more than \$500,000]**
Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment to the Agreement between the City and Central Computer Systems (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's not-to-exceed amount by more than \$500,000.
(Office of Contract Administration)

7/16/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071064 [Raising a contract's not-to-exceed amount to more than \$10 million]**
Resolution approving the Third Amendment to the Agreement between the City and County of San Francisco (City) and Office Depot (Contractor) for office supplies, increasing the contract's not-to-exceed amount to more than \$10 million, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)

7/16/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071065 [Approving a contract in excess of \$10 million]**
Resolution approving an Agreement between the City and County of San Francisco and Pioneer Americas LLC for sodium hypochlorite, a contract estimated to exceed \$10 million, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)

7/16/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071066 [Approval of the HIV Prevention Projects Grant application]**
Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an interim progress report (IPR) in order to continue to receive funding for the HIV Prevention Projects grant from the Centers of Disease Control and Prevention (CDC). The amount of this annual recurring grant for the next grant year (January 1, 2008 to December 31, 2008) is expected to be approximately \$9 million. The due date of the IPR is September 4, 2007.
(Public Health Department)

7/13/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED MOTIONS

None.

071069 [Petition and Communications]

Petitions and Communications received from July 10, 2007 through July 16, 2007 for reference by the President to July 24, 2007

From Planning Department, regarding the environmental review of individual projects in the Transit Center District Plan area. (1)

From Legal and Safety Employer Research, Inc., submitting copy of letter to Palisades General Contracting, Co regarding Tyco-Simplex Grinnell (Grinnell Fire Protection Systems Company). (2)

From concerned citizens, urging the Board to support the proposed housing development for 3400 Cesar Chavez Street. File 070708, Copy: Each Supervisor, 61 letters (3)

From concerned citizens, commenting on the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 5 letters (4)

From various City departments, submitting list of sole source contracts entered into during fiscal year 2006-2007. (5)

Port of San Francisco
Human Services Agency
Health Service System

From concerned citizens, submitting opposition to the proposed 2007-2008 water and wastewater rates adopted by the San Francisco Public Utilities Commission. File 070919, 4 letters (6)

From San Francisco International Airport, regarding retirement benefits for police department employees who were airport police officers. File 070938, Copy: Each Supervisor (7)

From Library Users Association, commenting on the Library preservation fund ballot measure. File 070730 (8)

From Kimo Crossman, regarding Department of Telecommunications and Information Services' response to Wi-Fi issues. Copy: Each Supervisor (9)

From Municipal Transportation Agency, regarding an emergency declaration. Copy: Each Supervisor (10)

From Eula Walters, commenting on the proposed name change of Ferry Park. (11)

From California Association of Firearms Retailers, regarding the proposed ordinance for mandatory dealer inventory. File 070684 (12)

From California Public Utilities Commission, submitting application of Blue & Gold Fleet, L.P., for authorization to increase passenger fares on its vessel common carrier service on San Francisco Bay between Alameda/Oakland and authorized points in San Francisco and Angel Island State Park. (13)

From Department of Public Works, regarding status on removing graffiti from newsstands at various locations in District 5. (Reference 20070605-011) Copy: Supervisor Mirkarimi (14)

From Department of Public Works, regarding status on removing graffiti from property at various locations in District 5. (Reference 20070605-008) Copy: Supervisor Mirkarimi (15)

From Department of Public Works, regarding status on removing graffiti from light switch boxes and phone switch boxes at various locations in District 5. (Reference 20070605-005) Copy: Supervisor Mirkarimi (16)

From Department of Public Works, regarding status on removing graffiti from mailboxes and garbage cans at various locations in District 5. (Reference 20070605-003) Copy: Supervisor Mirkarimi (17)

From Department of Public Works, regarding status on removing graffiti from property at various locations in District 5. (Reference 20070619-009) Copy: Supervisor Mirkarimi (18)

From Department of Human Resources, submitting request for waiver of Administrative Code 12B for Holiday Inn Fisherman's Wharf. (19)

From Department of Public Works, regarding status on removing graffiti from emergency boxes and fire hydrants at various locations in District 5. (Reference 20070619-006) Copy: Supervisor Mirkarimi (20)

From Office of the Treasury, submitting portfolio statistics from July 1, 2006 to June 30, 2007. (21)

From City of Jersey City/Office of the Corporation Counsel, submitting copy of letter addressed to ATF New York Gun Center. (22)

From Troy Nickol, commenting on his commute July 11, 2007. Copy: Municipal Railway (23)

From SAS Institute Inc., commenting on MUNI service. (24)

From concerned citizens, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 4 letters (25)

From Bruce B. Brugmann, regarding the Ethics Commission. (26)

From Clerk of the Board, submitting notice that the Clerk of the Board of Supervisors' office did not receive any gifts in fiscal year 2006-2007. (27)

From Francisco Da Costa, commenting on various issues regarding Mission Bay. (28)

From Civil Service Commission, regarding Civil Service Commission's response to proposed Metropolitan Transportation Agency Charter Amendments. File 070727, Copy: Each Supervisor (29)

From Luce Forward, regarding appeal of determination of exemption from environmental review for 3424 Jackson Street, File 070910, Copy: Each Supervisor, City Attorney (30)

From Kirk M. Palmer, submitting opposition to the Mayor's proposal to turn over management of Harding, Fleming and Lincoln Park golf courses to a private contractor. File 070887 (31)

From Office of the Controller/City Services Auditor, submitting report concerning concession review of Lady Luck Gourmet, LLC (San Francisco International Airport) (32)

From Patrick Monette-Shaw, commenting on the recall of three Board members. (33)

From Rob Powers, submitting opposition to the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor (34)

From Kyra Ivanoff, submitting support for the implementation of Community Choice energy in San Francisco. File 070502, Copy: Each Supervisor (35)

From Josh On, commenting on building a skate park in Golden Gate Park. (36)

From Office of the Controller/City Services Auditor, submitting report summarizing the results from the fiscal and compliance monitoring of selected community-based organizations for fiscal years 2005-06 and 2006-07. (37)

From Richard L. Romano, Attorney at Law, regarding Proposition J, contract/certification of specified contracted-out services for the Department of Recreation and Park. File 070887, 2 letters (38)

From Kimo Crossman, regarding various issues. 4 letters (39)

From Francisco Da Costa, commenting on Lennar BVHP LLC. (40)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised July 19, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance adding Planning Code Section 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee; and making findings including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.	071050	Budget and Finance Committee	Supervisor Alioto-Pier	7/17/07	8/16/07
Charter amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.	071051	Rules Committee	Supervisor Alioto-Pier	7/17/07	8/16/07
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 27 to: 1) require the Mayor to centralize the City's workforce development efforts under the Mayor's Office of Economic and Workforce Development (MOEWD), or successor agency; 2) require the Mayor to manage all general fund expenditures on workforce development, create City-wide workforce development policy, submit all grant applications to the State or federal government for workforce development funding on behalf of the City, subject to approval by the	071056	Rules Committee	Supervisor Mirkarimi	7/17/07	8/16/07

Hour of Supervision, and annually report to the Board of Supervisors workforce development progress, among other things. 3) require City departments to enter into Memoranda of Understanding with the Mayor's Office as a condition of funding for workforce development duties.		-			
Ordinance amending Planning Code Section 242 (c)(1)(D) to exempt certain wind power generation from height limitations within the Bernal Heights Special Use District	070947	Land Use and Economic Development Committee	Supervisor Ammiano	6/26/07	7/26/07
Ordinance amending Administrative Code sections 11.1 and 11.9 to authorize state video franchise holders and personal wireless service carriers to obtain utility conditions permits, requiring persons installing personal wireless service facilities in the public rights-of-way to obtain personal wireless service facilities site permits, imposing fees for personal wireless service facilities site permits, and making environmental findings.	070904	Land Use and Economic Development Committee	Department of Public Works	6/26/07	7/26/07
Ordinance amending Building Code by adding Chapter 13C to require new or added construction over 20,000 square feet to comply with the Leadership in Energy and Environmental Design Gold rating or an equivalent green building standard except for City projects, which are covered by Chapter 7 of SF Environment Code, to authorize Director of Building Inspection to grant an exemption from some of the requirements on the grounds of hardship or infeasibility, to require the Director to grant an exemption if compliance would compromise the historical integrity of an historic structure, and to encourage projects not within the scope of the ordinance to	070925	Land Use and Economic Development Committee	Peskin	6/19/07	7/19/07

incorporate as many green building standards into their construction as is feasible; adopting findings, including environmental findings and findings required by California Health & Safety Code Section 17958.5.					
Ordinance amending Administrative Code Sections 12P.2, 12P.3, 12P.4, 12P.5, 12P.6, 12P.7 and 12P.8, and by adding Sections 12P.5.1, 12P.6.1 and 12P.6.2, to amend the Minimum Compensation Ordinance by making both substantive and clarifying changes with respect to: the obligations imposed on Contractors; notification, investigation, auditing, inspection, enforcement and settlement procedures; the withholding of contract payments; provisions relating to waivers; certain definitions, including the definition of Covered Employees; an increase in the hourly wage rate for all employees; the assessment of liquidated damages; and the process for determining whether a Contractor has violated the Ordinance and for the administrative appeal of such determinations.	070921	Land Use and Economic Development Committee	Supervisor Ammiano	6/19/07	7/19/07

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF MATTER CALLED OUT OF COMMITTEE

CITY OPERATIONS AND NEIGHBORHOOD SERVICES

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that pursuant to Rule 5.34 the following matter has been called out of the City Operations and Neighborhood Services Committee by Supervisor Daly at the Board Meeting of July 24, 2007.

File No. 070922 Resolution urging the Department of Public Health and Lennar Corporation to temporarily halt construction at the Hunters Point Shipyard and to contract with an independent entity to conduct a health assessment of the residents of Bay View Hunters Point.

The Board will be meeting on July 31, 2007 at 3:00 p.m. in the Legislative Chamber on the second floor of City Hall to consider the above item.

The public will have an opportunity to speak during the public comment period of the Board's agenda.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Angela Calvillo, Clerk of the Board

POSTED: July 25, 2007

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July 31, 2007

Board of Supervisors City and County of San Francisco

*Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689*



AGENDA

**Tuesday, July 31, 2007
2:00 PM**

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Regular Meeting

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AARON PESKIN, PRESIDENT

**MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE
MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO
SANDOVAL**

Angela Calvillo, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for June 26, 2007 and Special Board of Supervisors Meeting of the Budget and Finance Committee for June 25, 2007 and June 28, 2007.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, general public comment for this item will take place during public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1-3

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

1. **070926 [Designating a sole source contractor to provide healthcare coverage to certain eligible temporary exempt as-needed SEIU City employees] Mayor**

Ordinance authorizing the Department of Human Resources to execute a contract with the San Francisco Health Plan to administer healthcare coverage to certain eligible temporary exempt as-needed City employees who are members of SEIU locals 535, 790 and UHW; and granting a waiver to the competitive procurement requirements of San Francisco Administrative Code Chapter 21.

(Fiscal Impact.)

7/24/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

2. **070444 [Residential Inclusionary Affordable Housing Supervisor Sandoval Requirements]**

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, to require the Mayor's Office of Housing to establish minimum qualifications for firms that market below market-rate units; and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

7/24/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. **070679 [Residential Rental Units: Lock Replacements Supervisor McGoldrick by Landlord When Tenants Vacate]**

Ordinance amending the Administrative Code by adding Chapter 49B to provide that when a rental unit is permanently vacated by all tenants the landlord must re-key or replace all door locks that are exclusive to that unit, including doors to storage units and garages.

7/24/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

4. **070709 [Affirming adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street Project]**

Motion affirming Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

6/26/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, CONTINUED. Continued to July 31, 2007

Question: Shall this Motion be APPROVED?

5. **070710 [Reversing adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street Project]**

Motion reversing the Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

6/26/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, CONTINUED. Continued to July 31, 2007

Question: Shall this Motion be APPROVED?

6. **070711 [Preparation of findings to reverse adoption
of the mitigated negative declaration for 3400
Cesar Chavez Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

6/26/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, CONTINUED. Continued to July 31, 2007

Question: Shall this Motion be APPROVED?

Called From City Operations and Neighborhood Services Committee

7. **060589 [Liquor License Transfer, 845 Market Street,
Space 010]**

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

8/15/2006, CONTINUED. Continued to September 12, 2006

9/12/2006, CONTINUED. Continued to September 19, 2006

9/19/2006, RE-REFERRED to City Operations and Neighborhood Services Committee.

3/20/2007, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Dufty called this measure from City Operations and Neighborhood Services Committee.

3/27/2007, CONTINUED. Continued to April 10, 2007.

4/10/2007, CONTINUED. Continued to April 17, 2007.

4/17/2007, CONTINUED. Continued to June 5, 2007.

6/5/2007, CONTINUED. Continued to July 31, 2007.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

8. 070217 [Zoning - Interim moratorium on installation of microcell equipment] Supervisors Peskin, Jew, Sandoval, McGoldrick, Maxwell, Daly, Mirkarimi, Ammiano, Duffy, Alioto-Pier, Elsbernd

Urgency Ordinance approving an interim zoning moratorium on installation of microcell equipment for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

3/6/2007, CONTINUED. Continued to April 17, 2007.

4/17/2007, CONTINUED. Continued to May 22, 2007.

5/22/2007, CONTINUED. Continued to June 12, 2007.

6/12/2007, CONTINUED. Continued to July 31, 2007.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

9. 070828 [Open Space Fund Financing] Mayor
- Ordinance approving the issuance and sale of lease revenue bonds payable from the Park, Recreation and Open Space Fund to finance various park projects as further described herein; approving the form of a First Amendment to Site Lease by and between the City and County of San Francisco Finance Corporation (the "Corporation") and the City and County of San Francisco (the "City") relating to certain City-owned properties located in the City (as further described herein); approving the form of a First Supplemental Lease by and between the Corporation and the City; approving the form of a First Supplemental Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); approving the form of an Assignment Agreement by and between the Corporation and a trustee; approving the form of an official notice of sale and a notice of intention to sell the lease revenue bonds; directing the publication of the notice of intention to sell the lease revenue bonds; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; authorizing the payment of costs of issuance; authorizing reimbursement of certain expenditures; authorizing the establishment of a contingency fund; adopting findings under the California Environmental Quality Act and findings pursuant to City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.
- Supervisor Daly dissented in Committee.
(No Economic Impact)

6/26/2007, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing same title.

7/24/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Board Sitting As A Committee of the Whole

From the Rules Committee Without Recommendation

10. 070731 [Charter Amendment - Emissions Reduction Supervisor Peskin and Transit Reform]

Charter amendment (Third Draft) to amend Sections 8A.100 through 8A.106, 8A.108 through 8A.110, 8A.112 through 8A.113, and A8.404; repealing Section 16.110; re-numbering Sections 16.100 and 16.102 as 8A.114 and 8A.115, respectively and amending Section 8A.115; and requiring the Board of Supervisors to adopt an ordinance amending the Traffic Code to repeal any provision in conflict with this measure and convert such provisions to rules and regulations of the Municipal Transportation Agency Board of Directors, all to increase the efficiency, effectiveness and autonomy of the Municipal Transportation Agency and to reduce greenhouse gas emissions from San Francisco's transportation sector.

7/10/2007, CONTINUED. Continued to July 17, 2007

7/17/2007, CONTINUED. Continued to July 24, 2007

7/24/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/24/2007, CONTINUED AS AMENDED. Continued to July 31, 2007 with the Board Sitting as a Committee of the Whole.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

11. 070901 [Contracting Process for San Francisco General Hospital Rebuild Project]

Ordinance authorizing the Director of Public Works to issue a Request for Proposals for the services of a Construction Manager/General Contractor for the San Francisco General Hospital Rebuild Program and to award a contract for such services based on the best qualifications and fee. This ordinance further authorizes the Director to negotiate and obtain prices from certain core subcontractors and to allow them to become subcontractors to the CM/GC, provided said prices are validated by City-retained cost estimators. (Public Works Department)

(Fiscal Impact.)

(No Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 070762 [Airport Operating Agreement with Signature

Flight Support Corporation]

Resolution approving the Fixed Base Operator Lease and Operating Agreement between Signature Flight Support Corporation and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

13. 070763 [Airport Concession Lease]

Resolution approving the Boarding Area "F" Hub Specialty Store Lease "A" between Air Sun dba Sunglass Hut and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

14. 070788 [Amendment to Contract with Geomatrix Consultants, Inc.]

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute an amendment to the contract with Geomatrix Consultants, Inc. to extend the term retroactively through June 30, 2008, to modify the scope of services, and to increase the contract by an amount not to exceed \$180,000 for a new total amount not to exceed \$1,259,000 for environmental consulting services. (Treasure Island Development Authority)
No Economic Impact

6/1/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

7/9/2007, ASSIGNED to Budget and Finance Committee. Treasure Island Development Authority submitted a substitute resolution bearing new title.

Question: Shall this Resolution be ADOPTED?

15. 070793 [Lease of Real Property at 3801 Third Street, Suite 600]

Resolution authorizing the lease of 10,740 square feet of space at 3801 Third Street, Suite 600, for the San Francisco Public Utilities Commission (SFPUC), Wastewater Collection System Division retroactively to July 1, 2007. (Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

16. 070806 **[Authorizing the Office of Contract Administration to amend its contract with Micromenders/GC Micro to exceed \$10 million]**

Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment between the City and Micromenders/GC Micro (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's anticipated expenditures to over \$10 million. (Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

17. 070852 **[Contract funds to support the STOP AIDS Supervisor Duffy Project]**

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement with the STOP AIDS Project and expend funds in the amount of \$28,410; for the period of September 1, 2006, through August 31, 2008. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

18. 070853 **[Airport Concession Lease]**

Resolution approving the Terminal 3 Newsstands and Specialty Store Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

19. 070854 **[Airport Concession Lease]**

Resolution approving the Technology Products Stores Lease between ILJ San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

20. 070873 **[Lease of Real Property]**

Resolution authorizing extension of a lease of real property at 617 Mission Street and 101 New Montgomery Street for the Department of Child Support Services. (Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

21. 070875 **[Lease of Real Property at 650 Fifth Street, Suite 307-309]**

Resolution authorizing the Lease of 3,060 square feet of space at 650 Fifth Street, Suites 307-309, for the Department of Public Health's Jail Health Services retroactively to July 1, 2007. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

22. 070902 [Master Agreements for Federal and State transportation funds]

Resolution authorizing the Director of Public Works or his or her designee to execute Master Agreements between the City and County of San Francisco, through its Department of Public Works, and the California Department of Transportation. (Public Works Department)
(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

23. 070680 [Administrative Penalties and Fees for Fare Evasion or Passenger Misconduct Offenses] Supervisor Peskin

Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 070847 [Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments] Supervisor Elsbernd

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments.

Supervisor Daly dissented in Committee.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

25. 071079 [Public Hearing - Report of Assessment costs for sidewalk and curb repairs]

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs that the Department performed pursuant to Public Works Code Section 707.1; authorizing that such charges be assessed as a tax lien; and authorizing other official acts in furtherance thereof. (Clerk of the Board)

Action: _____

26. 071080 [Report of assessment costs for sidewalk and curb repairs]

Resolution confirming the Department of Public Works Report of Costs for sidewalk and curb repairs that the Department performed pursuant to Public Works Code Section 707.1; authorizing that such charges be assessed as a tax lien; and authorizing other official acts in furtherance thereof. (Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Called From City Operations and Neighborhood Services Committee

**27. 071098 [Hearing on temporarily halting construction
at the Hunters Point Shipyard]**

Hearing to consider the possible adoption of a Resolution urging the Department of Public of Health and Lennar Corporation to temporarily halt construction at the Hunters Point Shipyard and to contract with an independent entity to conduct a health assessment of the residents of Bay View Hunters Point.

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

**28. 070922 [Temporarily halting construction at the Supervisor Daly
Hunters Point Shipyard]**

Resolution urging the Department of Public of Health and Lennar Corporation to temporarily halt construction at the Hunters Point Shipyard and to contract with an independent entity to conduct a health assessment of the residents of Bay View Hunters Point.

7/24/2007, CALLED FROM COMMITTEE. Pursuant to Rule 5.31,
Supervisor Daly called this measure from City Operations &
Neighborhood Services Committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 3:30 P.M.

**29. 070985 [Public Hearing - Appeal of Tentative Final
Map for 3150 Geary Boulevard]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 21, 2007, affirming the approval of Tentative/Final Map for a new 8 unit mixed-use condominium project located at 3150 Geary Boulevard, Lot 028 in Assessor's Block No. 1066. (Appellants: Jerome Marks on behalf of Kok-Po (Sam) Ng and Lily Chan Ng, and Kurt Link and Maria R. Link)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

30. **070986 [Approving decision of the Director of Public Works and approving the Tentative Map for 3150 Geary Boulevard]**

Motion approving the decision of the Director of Public Works, finding the Tentative Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Map for an 8-unit subdivision located at 3150 Geary Boulevard, Lot 028 in Assessor's Block 1066. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

31. **070987 [Disapproving decision of the Director of Public Works and disapproving the Tentative Map for 3150 Geary Boulevard]**

Motion disapproving the decision of the Director of Public Works concerning an 8-unit Tentative Map located at 3150 Geary Boulevard, Lot 028 in Assessor's Block 1066 and disapproving the subdivision. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

32. **070988 [Findings - 3150 Geary Boulevard Tentative Map]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for an 8-unit subdivision located at 3150 Geary Boulevard, Lot 028 in Assessor's Block 1066. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

APEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals scheduled for 4pm. If more than one public hearing is the Clerk, in consultation with the President, may det

in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

33. 070800 [Public Hearing - Appeal of Categorical Exemption from Environmental Review - Citywide Wireless Broadband Internet Access Network Ordinance]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 20, 2007, Case No. 2007.0097E, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15304(b), 15303(d), & 15303(e); Class Numbers 1 and 3], the proposed project is an ordinance proposed by the Mayor (Board File No. 070077) that would approve one or more agreements (hereafter "the Agreement") between EarthLink, Inc. and the City and County of San Francisco. The Agreement would permit EarthLink to manage, operate, and install within the City rights-of-way a citywide wireless broadband internet access network that would provide free or affordable internet access for San Francisco residents, workers, and visitors. The project would involve installation within the City rights-of-way of a communications system consisting of two types of above-ground equipment: transmitters and backhaul devices. The Agreement does not specify proposed locations for the communications equipment, and EarthLink has not yet selected such locations. (Appellant: Jeff Hoffman, on behalf of the San Francisco Neighborhood Antenna Free Union (SNAFU).)

(Filed May 30, 2007; companion measure to Files 070801, 070802, 070803.)

7/10/2007, CONTINUED. Continued to July 24, 2007

7/24/2007, CONTINUED. The President inquired as to whether any member of public wished to address the Board Members. There were none. Continued to July 31, 2007

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

34. 070801 [Affirming the categorical exemption issued for the Citywide Wireless Broadband Internet Access Network Ordinance]

Motion affirming the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is categorically exempt from environmental review under the California Environmental Quality Act.

7/10/2007, CONTINUED. Continued to July 24, 2007

7/24/2007, CONTINUED. Continued to July 31, 2007

Question: Shall this Motion be APPROVED?

35. 070802 [Disapproving the categorical exemption]

**issued for the Citywide Wireless Broadband
Internet Access Network Ordinance]**

Motion disapproving the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is categorically exempt from environmental review under the California Environmental Quality Act.

7/10/2007, CONTINUED. Continued to July 24, 2007

7/24/2007, CONTINUED. Continued to July 31, 2007

Question: Shall this Motion be APPROVED?

**36. 070803 [Preparation of findings related to the appeal
of the categorical exemption for the Citywide
Wireless Broadband Internet Access Network
Ordinance]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is exempt from environmental review under the California Environmental Quality Act.

7/10/2007, CONTINUED. Continued to July 24, 2007

7/24/2007, CONTINUED. Continued to July 31, 2007

Question: Shall this Motion be APPROVED?

SPECIAL ORDER: 4:00 P.M.

**37. 071028 [Public Hearing - Landmark Appeal, U.C.
Extension Center, 55 Laguna Street (formerly
San Francisco State Teachers College)]**

Hearing of persons interested in or objecting to (1) the decision of the Planning Commission by its Resolution No. 17445 adopted June 7, 2007, disapproving the proposal of the Landmarks Preservation Advisory Board to designate the U.C. Extension Center as a San Francisco Landmark on property located at 55 Laguna Street (formerly San Francisco State Teachers College); Lots 001, 001A in Assessor's Block 0857 and Lots 001, 002, and 003 in Assessor's Block 0870. (Appellants: Robert W. Cherny, Acting President, Landmarks Preservation Advisory Board filed on July 2, 2007 and F. Joseph Butler on behalf of the San Francisco Preservation Consortium filed on July 6, 2007.) or (2) designation by the Board of Supervisors of the U.C. Extension Center, located at 55 Laguna Street, Lots 001, 001A in Assessor's Block 0857 and Lots 001, 002 and 003 in Assessor's Block 0870 as a San Francisco Landmark.

(Filed July 2 and 6, 2007; Companion measure to 071029, 071030, 071081; District 8.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the landmark designation described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

38. 071029 [Approving decision of the Planning Commission Disapproving Proposed Landmark Designation of 55 Laguna Street]
Motion approving the decision of the decision of the Planning Commission disapproving proposed landmark designation of 55 Laguna Street. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
39. 071030 [Disapproving decision of the Planning Commission Disapproving Proposed Landmark Designation of 55 Laguna Street]
Motion disapproving the decision of the decision of the Planning Commission disapproving proposed landmark designation of 55 Laguna Street. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
40. 071081 [Findings - 55 Laguna Landmark Designation Appeal]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning the appeal of the Planning Commission's disapproval of a landmark designation of 55 Laguna Street. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
41. 071082 [Landmark Designation of 55 Laguna Street (U.C. Extension Center, formerly known as the San Francisco State Teacher's School)]
Ordinance Designating 55 Laguna Street (U.C. Extension Center, formerly known as the San Francisco State Teacher's School) as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (City Attorney)
7/2/2007, RECEIVED AND ASSIGNED to Board of Supervisors.
Question: Shall this Ordinance be PASSED ON FIRST READING?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered at a Special Rules Committee on Thursday, July 27, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 31, 2007.

42. 070984 [Appointment - Police Commission]

Motion confirming the Mayor's nomination of, and appointing, Thomas Mazzucco, term ending April 30, 2008, to the San Francisco Police Commission. (Mayor)

Question: Shall this Motion be APPROVED?

43. 071054 [Settlement of Claim - Pennie Sempell] Supervisor Elsbernd

Resolution approving the settlement of the unlitigated claim filed by Pennie Sempell against San Francisco for \$350,000; claim was filed on December 19, 2006.

Question: Shall this Resolution be ADOPTED?

44. 071044 [Appointment - Ballot Simplification Committee]

Resolution appointing June Fraps, Betty Packard and Suzanne Stassevitch, terms ending November 30, 2008, to the Ballot Simplification Committee.

3 seats being considered

June Fraps, succeeding herself, term expired, seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2008.

Betty Packard, succeeding herself, term expired, seat 2, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2008.

Suzanne Stassevitch, succeeding herself, term expired, seat 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2008.

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use and Economic Development Committee Monday, on July 30, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 31, 2007.

45. 071087 [Amending Ordinance 115-07 which approved Mayor, Supervisor Peskin an amendment to the Rincon Point-South Beach Redevelopment Plan]

Ordinance amending Ordinance 115-07 (which approved an amendment to the Rincon Point-South Beach Redevelopment Plan).

Question: Shall this Ordinance be FINALLY PASSED?

46. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

47. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 48-62

48. 071091 **[Marina Branch Library reopening]** **Supervisor Alioto-Pier**
 Resolution recognizing the Grand Re-Opening of the Marina Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.
 7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
 REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
49. 071092 **[Contract between the Department of Public Health and San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults]** **Supervisor Ammiano**
 Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to contract between the City and County of San Francisco and the San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 24 and young parents aged 19 through 24 for the period of July 1, 2007 through June 30, 2008.
 7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
 REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

50. 071093 [Urging the American Psychological Association to end its acquiescence in regard to participation of psychologists in interrogation of detainees in Iraq, Afghanistan and Guantanamo Bay] Supervisor Ammiano

Resolution requesting that the American Psychological Association reconsider its stance regarding the participation of psychologists in interrogations of detainees by restricting the use of psychologists to providing therapeutic benefits in all sites where detainees are held without due process in violation of international human rights law.

7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 071094 [Extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend the Planning Code to create the Fringe] Supervisor Ammiano

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend the Planning Code to create the Fringe Financial Service Restricted Use District and make related Zoning Map amendments.

7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 071095 [Opposing AB 112] Supervisors Elsbernd, McGoldrick

Resolution opposing Assembly bill 112 to amend Section 97 of the Streets and Highways Code.

7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 071096 [Accept-Expend Federal Grant - Spousal Abuser Prosecution Program] Supervisor Maxwell

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of \$102,076 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program" for fiscal year 2007/2008.

7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 071097 [Urging restoration of two-way traffic on Hayes Street] Supervisor Mirkarimi

Resolution urging the Municipal Transportation Agency to restore two-way traffic on the block of Hayes Street between Gough and Franklin streets, to restore the pedestrian crossing of Gough Street on the south side of Hayes Street, and develop a detailed plan and implementation strategy for streetscape improvements to the Hayes Valley Commercial District along Hayes Street between Franklin and Laguna streets.

7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE-AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

55. 071099 **[Accept-Expend Federal Grant-2007 Mayor's Supervisor Dufty
Summer Food Service Program and
Afterschool Snack program]**

Resolution authorizing the San Francisco Department of Children, Youth and their Families (DCYF), to accept and expend a grant in the amount of \$876,988, currently and retroactively, from the United States Department of Agriculture for the 2007 Mayor's Summer Food Service Program and the After School Snack Program.

7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

56. 071100 **[Authorizing preparation of
Proponent/Opponent ballot arguments and
rebuttal ballot arguments for submittal to the
voters at the November 6, 2007 Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for Charter Amendments approved by the Board of Supervisors for submittal to the voters at the November 6, 2007 Election. (Clerk of the Board)

7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

57. 070928 **[Final Map - 501 33rd Avenue/6901 Geary
Boulevard]**

Motion approving Final Map 3687, a 21 Unit Mixed-Use Condominium Project, located at 501 33rd Avenue / 6901 Geary Boulevard being a subdivision of Lot 001 in Assessors Block No. 1511 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 176,977; District 1.)

7/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

58. 070929 **[Final Map - 566 South Van Ness Avenue]**

Motion approving Final Map 3903, a 32 Residential Unit and 2 Commercial Unit Mixed-Use Condominium Project, located at 566 South Van Ness Avenue being a subdivision of Lot 005 in Assessors Block No. 3570 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,970; District 6.)

7/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

59. 070962 [Final Map - 818 Van Ness Avenue]

Motion approving Final Map 3892, a 54 Unit Mixed-Use Condominium Project, located at 818 Van Ness Avenue being a subdivision of Lots 006, 007 and 008 in Assessors Block No. 0739 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,974; District 6.)

7/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

60. 071035 [Final Map - 481A-481F Clementina Street]

Motion approving Final Map 3702, a 6 Unit Residential Condominium Project, located at 481A-481F Clementina Street being a subdivision of Lot 036 in Assessors Block No. 3732 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

(DPW Order No. 176,971; District 6.)

7/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

61. 071036 [Final Map - 1335 Fulton Street]

Motion approving Final Map 4002, a 7 Unit Mixed-Use Condominium Project, located at 1335 Fulton Street being a subdivision of Lot 031 in Assessors Block No. 1182 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,972; District 5.)

7/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

62. 071075 [Final Map - 900 Minnesota Street]

Motion approving Final Map 3996, a 142 Residential Unit and a 5 Commercial Unit Mixed-Use Condominium Project, located at 900 Minnesota Street being a subdivision of Lot 027 in Assessors Block No. 4106 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 176,976; District 6.)

7/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

63. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

None

PROPOSED RESOLUTIONS

Proposed resolutions received from July 17, 2007 through July 23, 2007 for reference by the President to appropriate committee on July 31, 2007.

071077 [Lease of Real Property at 400 McAllister Street]

Resolution authorizing the lease of 1,118 square feet of space to the Nasra Family Partnership, in the Courthouse located at 400 McAllister Street on behalf of the Superior Court. (Real Estate Department)

7/23/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071078 [Fire Department Eligibility Renewal Application for State and Federal Surplus Personal Property Program]

Resolution authorizing the San Francisco Fire Department to apply to renew its eligibility for the State and Federal Surplus Personal Property Program. (Fire Department)

7/17/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071102 [Petitions and Communications]

Petitions and Communications received from July 17, 2007 through July 23, 2007 for reference by the President to July 31, 2007.

From various City departments, submitting list of sole source contracts entered into during fiscal year 2006-2007: (1)

Office of the City Attorney

Juvenile Probation Department

Office of Citizen Complaints

Asian Art Museum of San Francisco

Planning Department

Department of Public Health

War Memorial and Performing Arts Center

From concerned citizens, urging the Board to support the proposed housing development for 3400 Cesar Chavez Street. File 070708, 18 letters(2)

From Peter Buxtun, urging the Board to vote against the Mayor's gun control proposals. File 070682, 070863, 070684(3)

From Clerk of the Board, regarding Watch Law requests (USA Patriot ACT).(4)

From concerned citizens, commenting on the proposed 2007-2008 budget. File 070773, 2 letters(5)

From Round the Diamond, regarding continuing sports and public service pathway proposal. Copy: Each Supervisor(6)

From Birger Salberg, Jr., commenting on the proposed closing of the 150 Otis Street men's shelter. Copy: Each Supervisor(7)

From Office of the City Administrator, submitting final resolution regarding the siting of the four combustion turbine units. Copy: Each Supervisor(8)

From Count Gramalkin, regarding guns on county property. File 070682(9)

From Count Gramalkin, regarding proposed firearm home storage requirements. File 070683 (10)

From Count Gramalkin, regarding proposed mandatory firearm dealer inventory. File 070684(11)

From Count Gramalkin, regarding proposed gun offender registry. File 070689(12)

From Department of Public Health, submitting quarterly report showing Laguna Honda Hospital's compliance with the reversal of the Admission Policy priorities that took place February 22, 2006.(13)

From Jeff Ente, regarding an immediate disclosure request regarding the ordinance prohibiting feeding of the red-masked parakeets. File 070467(14)

From Denise D'Anne, commenting on various transportation issues.(15)

From Airport Commission, submitting request for waiver of Administrative Code Section 14B for Oshkosh Truck Corporation.(16)

From Airport Commission, submitting request for waiver of Administrative Code Section 14B for Nixon Egli Equipment Company.(17)

From PUC Purchasing Department regarding 12B waiver for Chemical Lime Company.(18)

From Human Rights Commission regarding 12B waiver for Chevron USA, Inc.(19)

From Department of Public Works, submitting notice of abatement for various locations. (4 letters received)(20)

From concerned citizens regarding Wi-Fi.(5 letters received) File#070077 (21)

From concerned citizens, regarding Community Choice renewable energy project. (2 letters received). (File #070501)(22)

From concerned citizens, regarding MUNI service (2 letters received) (23)

From SFSM Information Clearinghouse, regarding AB1393.(24)

From Jeanette Berger regarding the scheduling of public comment.(25)

From Nancy Brudigam, regarding the feeding of the red masked parakeets.(26)

From Roland Sheppard, regarding asbestos levels.(27)

From Christian Holmer, regarding request from the Lawyers Committee for Civil Rights.(28)

From the Redevelopment Agency Commission submitting a request to pull consent

items from the Commission meeting.(29)

From Kimo Crossman submitting a letter from the California Attorney General regarding the Ethics Commission.(30)

From concerned citizens, regarding Supervisor Daly actions. (4 letters received) (31)

From the San Francisco Police Department submitting response to Supervisor Daly's request for "Quality of Life Citations."(32)

From Ron Chornow regarding a cross walk at Natoma and 8th Street.(33)

From Bob Hyman regarding cellular service in the Twin Peaks area.(34)

From Andre Rene Patterson, regarding violence at Treasure Island.(35)

From Kimo Crossman regarding Sunshine Ordinance Task Force article.(36)

From Patrick Monette-Shaw regarding Supervisor Jew.(37)

From Kimo Crossman regarding Voting Machine Competition.(38)

From the Office of the Treasurer and Tax Collector submitting the Property Tax Report for the biotechnology exclusion for the 2006 calendar year.(39)

From the League of Women Voters offering support to the Director of Elections for the November 2007 election.(40)

From the Papan Family submitting thanks for a memoriam letter.(41)

From Peter O'Hara regarding traffic lane reductions along Broadway.(42)

From Thomas Ferriole regarding loitering along Sutter Street(43)

From Susan Strolis, regarding District Attorney's request for additional funding.(44)

From Dr. Ahimsa Porter Sunchai regarding the Public Health Department.(45)

From Dr. Ahimsa Porter Sunchai regarding the Sunshine Ordinance Taskforce.(46)

From the Department of Public Health submitting the Quarterly AIDS Surveillance Report.(47)

From MTA submitting a response to the Budget Analyst Report, parking Revenue.(48)

From the Department of Public Health submitting notice of Chapter 12B compliance waiver.(49)

APPOINTMENTS BY THE MAYOR

Golden Gate Park Concourse Authority
Nancy Conner
Douglas Moran

Airport Commission
Eleanor Johns

Rent Board
Bart Murphy
Larry Becker
Deborah Henderson

Commission on the Environment
Angelo King

ADJOURNMENT

Meeting Procedures

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USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求

請電：(415) 554-7703

Disability access

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244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

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There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

03-03-07P03:11 RCVU

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, August 7, 2007 2:00 PM

DOCUMENTS DEPT.

AUG - 3 2007

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PUBLIC LIBRARY

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

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ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for July 10, 2007

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 22**Recommendation of the Budget and Finance Committee**

Present: Supervisors Peskin, Ammiano, Dufty

1. 070901 [Contracting Process for San Francisco General Hospital Rebuild Project]
Ordinance authorizing the Director of Public Works to issue a Request for Proposals for the services of a Construction Manager/General Contractor for the San Francisco General Hospital Rebuild Program and to award a contract for such services based on the best qualifications and fee. This ordinance further authorizes the Director to negotiate and obtain prices from certain core subcontractors and to allow them to become subcontractors to the CM/GC, provided said prices are validated by City-retained cost estimators.
(Public Works Department)
(Fiscal Impact.)
(No Economic Impact)

7/31/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

2. 070680 [Administrative Penalties and Fees for Fare Evasion or Passenger Misconduct Offenses]
Supervisor Peskin
Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

7/31/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. 071087 [Amending Ordinance 115-07 which approved an amendment to the Rincon Point-South Beach Redevelopment Plan]
Mayor, Supervisor Peskin
Ordinance amending Ordinance 115-07 (which approved an amendment to the Rincon Point-South Beach Redevelopment Plan).

7/31/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 070983 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Sutter Street, north side, between Divisadero and Scott Streets; and
Post Street, south side, between Divisadero and Scott Streets.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Post Street, north side, between Divisadero and Scott Streets; and,
Sutter Street, south side, between Divisadero and Scott Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

New Montgomery Street, east side, from Mission Street to 80 feet northerly.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Elizabeth Street, north side, between Sanchez and Vicksburg (300 block).

PERPENDICULAR (90-DEGREE ANGLE) PARKING (SOUTHBOUND DIRECTION) - ESTABLISH

DIAGONAL (45-DEGREE ANGLE) PARKING (NORTHBOUND DIRECTION) - ESTABLISH
Van Ness Avenue, center of the street, from North Point Street to 270 feet northerly at a proposed center island.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

2037 Hyde Street, west side, between the driveways for #2037 and #2041 Hyde Street (10-foot zone accommodating two motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "M" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Intersection of Avila Street, Cervantes Boulevard and Prado Street.

RESIDENTIAL PERMIT PARKING AREA "B" (2-HOUR TIME LIMIT, 9 AM TO 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

DeLong Street, west side, from Santa Cruz Avenue to the Daly City border (1 1/2 blocks).

TOW-AWAY, NO STOPPING ANYTIME, 3 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Diamond Street, west side, from Bosworth Street to 22 feet northerly,

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Taylor Street, east side, from Pine Street to 25 feet southerly (creates 6 motorcycle parking spaces).

NO PARKING ANYTIME - ESTABLISH

1580 5th Avenue, south side, from the driveway for this address westerly to the driveway for 1585 5th Avenue (135-foot zone).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hampshire Street, both sides, between 26th and Cesar Chavez Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "L" (2-HOUR TIME LIMIT, 8 AM TO 6 PM,

MONDAY THROUGH FRIDAY) - ESTABLISH

Anza Street, both sides, between 2nd and 3rd Avenues (1100 block)

TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY -RESCIND

TOW-AWAY, NO STOPPING, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
9th Street, both sides, between Howard and Market Streets.

TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND

TOW-AWAY, NO STOPPING, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Hayes Street, south side, between Market and Franklin Streets; and,
Hayes Street, north side, between Polk Street and Van Ness Avenue.

**TWO-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY
ESTABLISH**

11th Street, both sides, from Harrison Street to Bryant Street (replaces meters on the
east side of the street); and,

Harrison Street, both sides, from 10th Street to 11th Street (replaces meters on the south side of the
street); and

Bryant Street, both sides, from 10th Street to 11th Street (replaces meters on the north side of the
street).

(Parking and Traffic Department)

(6/28/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and
parking regulations where such changes do not establish a higher speed limit or result in more than a
negligible increase in the use of the street; DPT Order No. 3375).

(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

5. 070829 [Parking Regulations]

Resolution enacting and rescinding parking regulations.

TOW AWAY, NO PARKING ANYTIME ESTABLISH

Raccoon Drive, both sides, between Twin Peaks Boulevard and Crown Court.

(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

Present Supervisors Maxwell, McGoldrick

6. 070981 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

McAllister Street, eastbound and westbound, at Stanyan Street, making this uncontrolled intersection a two-way STOP; and,

Ora and Topaz Ways, making this intersection an all-way STOP.

(Parking and Traffic Department)

(6/26/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3375.)

(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

7. 070982 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE RIGHT TURN LANE - RESCIND

New Montgomery Street, southbound, at Mission Street.

NO U-TURNS - ESTABLISH

Webster Street, northbound and southbound, at Clay Street.

(Parking and Traffic Department)

(6/26/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3375.)

(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Jew

8. 070972 [Authorizing Donation of Obsolete Fire Engine and Ambulance to San Francisco City College]
Resolution authorizing Fire Department to donate an obsolete fire engine and ambulance to the Fire Sciences Program at San Francisco City College.
(Fire Department)
(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

9. 070973 [Contract to fund a drug research study]
Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into a new subcontract from the Public Health Foundation Enterprises, Inc. (PHFE) in the amount of \$95,851 to fund a drug research study, for the period of March 1, 2007 through May 31, 2008.
(Public Health Department)
(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

10. 070974 [Contract funds to support HIV vaccine and prevention research]
Supervisor Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into a new subcontract from the Public Health Foundation Enterprises, Inc. (PHFE) to support the research of the San Francisco Vaccine and Prevention Unit (SFVPU) in the amount of \$162,376; for the period of January 1, 2007 through September 30, 2007.
(Public Health Department)
(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

11. 070975 [Recurring FY 2007-2008 State grant funds to the Department of Public Health from the California Department of Health Services]
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (DPH) for FY 2007-2008.
(Public Health Department)
(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

12. 071000 [Acceptance of State Grant Funds - Municipal Transportation Agency and the Department of Public Works]
Supervisor Duffy
Resolution authorizing the Municipal Transportation Agency and the Department of Public Works to accept and expend state Transportation Development Act (TDA) Article 3 funds totaling \$769,274 for FY 2007-08 for various pedestrian and bicycle projects in the City and County of San Francisco, excluding citywide indirect costs.
(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

13. 071006 [Grant of Regional Funds - Municipal Transportation Agency]
Supervisor Jew
Resolution authorizing the Municipal Transportation Agency to accept and expend \$600,000 of Regional Measure 2 funds for a Safe Routes to Transit project to construct safety improvements on Market Street.
(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee*Present Supervisors Ammiano, Elsbernd, Peskin*

14. 070976 [Settlement of Lawsuit - Edwin Macon, Sr.]
Ordinance authorizing settlement of the lawsuit filed by Edwin Macon, Sr. against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 14, 2006 in United States District Court, Northern District of California, Case No. C06-4904 SI; entitled Edwin Macon, Sr., et al., v. City and County of San Francisco, et al.
(City Attorney)
(No Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 070977 [Settlement of Lawsuit - Pacific Bell Telephone Company]
Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$52,500.00; the lawsuit was filed on March 16, 2006 in San Francisco County Superior Court, Case No. 450-385; entitled Pacific Bell Telephone Company v. City and County of San Francisco, et al; there are no other material terms of said settlement.
(City Attorney)
(No Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 070978 [Settlement of Lawsuit - Nawal Rizkallah]
Ordinance authorizing settlement of the lawsuit filed by Nawal Rizkallah against the City and County of San Francisco for \$100,000; the lawsuit was filed on April 3, 2006 in San Mateo Superior Court, Case No. 453874; entitled Nawal Rizkallah v. City and County of San Francisco, et al.
(City Attorney)
(No Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 070979 [Settlement of Lawsuit - Ophelia Alvarez]
Ordinance authorizing settlement of the lawsuit filed by Ophelia Alvarez against the City and County of San Francisco for \$117,500; the lawsuit was filed on November 7, 2005 in San Francisco Superior Court, Case No. 446448; entitled Alvarez, et al., v. City and County of San Francisco, et al.
(City Attorney)
(No Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 070994 [Settlement of Lawsuit - Dave Alba et al.]
Ordinance authorizing the settlement of a lawsuit filed by Dave Alba et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$625,000.00; the lawsuit was filed on April 22, 2005, in the United States District Court for the Northern District, Case No. C05-01667, entitled Dave Alba, et al., v. City and County of San Francisco.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 071062 [Settlement of Lawsuit - Pacific Gas and Electric Company]
Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$818,000, plus interest through the date of entry of judgment; the lawsuit was filed on September 12, 2005 in San Mateo Superior Court, Case No. CGC-05-449522; entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation For Entry Of Judgment In Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071062.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 070995 [Settlement of Claim - Alexa Internet]
Resolution approving the settlement of the unlitigated Claim No. 07-02244 filed by Alexa Internet on February 28, 2007 against the City and County of San Francisco for business payroll tax refund under the Federal Enclave Presidio Exemption in the amount of \$86,586.87.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

21. 071068 [Appointment - Bicycle Advisory Committee]
Resolution appointing Andrew Bindman, term ending November 19, 2008, to the Bicycle Advisory Committee.
Andrew Bindman, succeeding Andrew Bindman, term expired, seat 1, must be a nominee of District 1 Supervisor. The member shall serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2008.

Question: Shall this Resolution be ADOPTED?

22. 071043 [Appointment - Commission on the Aging Advisory Council]
Resolution appointing Vera Haile, term ending March 31, 2009, to the Commission on the Aging Advisory Council.
Vera Haile, succeeding herself, term expired, seat 8, must be a nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending March 31, 2009.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present. Supervisors Peskin, Ammiano, Duffy

23. 070314 [CEQA Findings in Connection with the Trans Bay Cable Project]

Supervisors Peskin, Maxwell

Resolution of the Board of Supervisors, acting as responsible agency with respect to the Trans Bay Cable Project Final Environmental Impact Report, adopting findings pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines in connection with the proposed Trans Bay Cable Project, portions of which would be located within submerged lands and a portion of 23rd Street that are in the City and County of San Francisco and under the Port of San Francisco's jurisdiction.

3/20/2007, SUBSTITUTED. Supervisor Peskin submitted a substitute resolution bearing the same title.

Question: Shall this Resolution be ADOPTED?

24. 070315 [Trans Bay Cable Project Non-Exclusive Licenses]

Supervisors Peskin, Maxwell

Resolution approving (1) Port Commission License No. 14324, a non-exclusive license for the use of property consisting of approximately 9.4 miles of submerged lands, a small portion of shoreline along 23rd Street, and a portion of 23rd Street to install a 400 MW high voltage transmission line, with a term of four years and consideration including license payments to the Port in excess of \$1.26 million and payments to the San Francisco Public Utilities Commission equaling \$3.5 million, and (2) Port Commission License No. 14325, a non-exclusive license for use of the property for operation of the transmission line with a term of twenty-five years with an option to renew for ten years and consideration including license payments to the Port in excess of \$1.2 million dollars annually, public benefit payments to Port equaling \$5.5 million and payments to the San Francisco Public Utilities Commission in excess of \$20 million to implement, advance, promote or enhance policies and projects consistent with City Energy Policies, both between Trans Bay Cable LLC and the City and County of San Francisco acting by and through the San Francisco Port Commission and the Mayor's Office of Economic and Workforce Development.

3/20/2007, SUBSTITUTED. Supervisor Peskin submitted a substitute resolution bearing new title.

Question: Shall this Resolution be ADOPTED?

25. 070412 [Public Works - Encroachment under 23rd Street between Illinois Street and the SF Bay]
Supervisors Peskin, Maxwell
Resolution granting revocable permission to Trans Bay Cable LLC to occupy a portion of the public right-of-way to install underground DC cable under 23rd Street, east of Illinois Street, to allow transmission of electrical power from Trans Bay Cable's Pittsburg Converter Station to its San Francisco Converter Station, which is proposed to be located at 435 23rd Street (Assessor's Block 4232, Lot 010), conditioned on payment of an annual assessment fee in an amount to be determined pursuant to Public Works Code section 786.7, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

26. 070701 [Approval of an historical property contract for 1735 Franklin Street - the Bransten House]
Supervisors Peskin, Duffy
Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between Tad and Masumi Oriide, the owners of San Francisco Landmark No. 126 located at 1735 Franklin Street (the Bransten House) and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract. (Planning Commission)

Question: Shall this Resolution be ADOPTED?

27. 071052 [Issuance and Sale of Tax-Exempt Bonds - San Francisco Friends School]
Supervisor Duffy
Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$27,100,000 to finance various capital facilities owned by San Francisco Friends School or an affiliate.

Question: Shall this Resolution be ADOPTED?

28. 071053 [Approval to Execute the Lease Agreement between the San Francisco International Airport and Verified Identity Pass, Inc. for Registered Traveler Services]
Supervisor Elsbernd
Resolution approving and authorizing the Lease Agreement between the San Francisco International Airport and Verified Identity Pass, Inc. for Private Sector Registered Traveler Services for approximately five years three months commencing on a date to be mutually agreed upon but no later than October 1, 2007 through December 31, 2012.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

29. 071064 [Raising Office Depot's contract not-to-exceed amount to more than \$10 million]
Resolution approving the Third Amendment to the Agreement between the City and County of San Francisco (City) and Office Depot (Contractor) for office supplies, increasing the contract's not-to-exceed amount to more than \$10 million, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present Supervisors McGoldrick, Alioto-Pier

30. 070920 [Directing the San Francisco Public Utilities Commission to create and implement a city-wide program to track water usage by City department]
Supervisor Alioto-Pier
Resolution directing the San Francisco Public Utilities Commission to create and implement a city-wide program to track water usage, water conservation, and use of recycled water use by City Departments.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present Supervisors Elsbernd, Alioto-Pier, Daly

31. 070997 [MOU, San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1), to be effective July 1, 2007 through June 30, 2011.
(Fiscal Impact)
(No Economic Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
32. 070998 [MOU, San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2)]
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2), to be effective July 1, 2007 through June 30, 2011.
(Fiscal Impact)
(No Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

33. 071113 [Public Hearing - DPH Reinspection Fee Liens]
Hearing of persons interested in or objecting to the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon.
(Clerk of the Board)

Action: _____

34. 071114 [Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]
Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

35. 071115 [Public Hearing - DPH Delinquent Refuse Service Payment Liens (Garbage Liens)]
Hearing of persons interested in or objecting to report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.
(Clerk of the Board)

Action: _____

36. 071116 [Unpaid DPH Delinquent Refuse Service payment liens to become special assessments to the property taxes]
Resolution confirming report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

37. 071147 [Public Hearing - DBI Special Assessment of Liens for Code Enforcement Cases]
Hearing of persons interested in or objecting to report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., 103.3.3 Section 108, Section 110 – Tables 1-K and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of costs thereof having accrued pursuant to Code Violations referenced above.
(Clerk of the Board)

Action: _____

38. 071148 [Special Assessment of Liens for Assessment of Cost]
Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et seq., 103.3.3 Section 108, Section 110 – Tables 1-K and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of costs thereof having accrued pursuant to Code Violations referenced above.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 3:30 P.M.**

39. 070985 [Public Hearing - Appeal of Tentative Final Map for 3150 Geary Boulevard]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 21, 2007, affirming the approval of Tentative/Final Map for a new 8 unit mixed-use condominium project located at 3150 Geary Boulevard, Lot 028 in Assessor's Block No. 1066.
(Appellants: Jerome Marks on behalf of Kok-Po (Sam) Ng and Lily Chan Ng, and Kurt Link and Maria R. Link)

7/31/2007, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members.

There were none.

Continued to August 7, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

40. 070986 [Approving decision of the Director of Public Works and approving the Tentative Map for 3150 Geary Boulevard]
Motion approving the decision of the Director of Public Works, finding the Tentative Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Map for an 8-unit subdivision located at 3150 Geary Boulevard, Lot 028 in Assessor's Block 1066.
(Clerk of the Board)
- 7/31/2007, CONTINUED. Continued to August 7, 2007
Question: Shall this Motion be APPROVED?
41. 070987 [Disapproving decision of the Director of Public Works and disapproving the Tentative Map for 3150 Geary Boulevard]
Motion disapproving the decision of the Director of Public Works concerning an 8-unit Tentative Map located at 3150 Geary Boulevard, Lot 028 in Assessor's Block 1066 and disapproving the subdivision.
(Clerk of the Board)
- 7/31/2007, CONTINUED. Continued to August 7, 2007
Question: Shall this Motion be APPROVED?
42. 070988 [Findings - 3150 Geary Boulevard Tentative Map]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for an 8-unit subdivision located at 3150 Geary Boulevard, Lot 028 in Assessor's Block 1066.
(Clerk of the Board)
- 7/31/2007, CONTINUED. Continued to August 7, 2007
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

43. 070905 [Public Hearing - Appeal of Mitigated Negative Declaration - 601 Duboce Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on June 7, 2007, approving a Mitigated Negative Declaration (File No. 2004.0603E), for the proposed development project at 601 Duboce Avenue.

(Filed June 19, 2007; Appellant; Nicole M. Phillips on behalf of Service Employees International Union, United Health Care) companion measure to Files 070906, 070907, 070908, District 8.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)**44. 070906 [Affirming adoption of the mitigated negative declaration for 601 Duboce Avenue]**

Motion affirming Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue.

(Clerk of the Board)

Question: Shall this Motion be APPROVED?

45. 070907 [Reversing adoption of the mitigated negative declaration for 601 Duboce Avenue]

Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue.

(Clerk of the Board)

Question: Shall this Motion be APPROVED?

46. 070908 [Preparation of findings to reverse adoption of the mitigated negative declaration for 601 Duboce Avenue]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

47. 071024 [Public Hearing - Conditional Use Appeal for 601 Duboce Avenue]
Hearing of persons interested in or objecting to the decision of the Planning Director by Motion No. 17444 dated June 7, 2007 (Case No. 2004.0603CE), approving conditional use authorization under Planning Code Section 303 and 304 to amend a previously approved conditional use authorization for a planned unit development and annual limit review for office development (Case No. 1987.847BC, Motion No. M13254 and M13255) and develop a new four story, 50,075 gross-square-feet (gsf), medical clinic and office building. The new building would contain medical offices, a Neuromuscular and Electroencephalogram Clinic, circulation/mechanical/support space, a pharmacy, an admitting station, located on the fourth story that connects to the existing adjacent ambulatory surgery department in the CPMC Hospital North Tower. As a Planned Unit Development, the project is seeking modifications to Planning Code requirements for rear yard and independently accessible parking. The property is in an RH-3 (Residential, House, Three-Family) Use District. While the five-story hospital north tower is the only building located in the 130-E Height and Bulk District portion of the site, the remaining portion (including the location of the project) is in the 65-D Height and Bulk District on property located at: 601 Duboce Avenue; Lot 001 in Assessor's Block 3539. (Appellant: Seabrook Leaf)
(Filed 7/9/07; companion measure to Files 071025, 071026, 071027; District 8.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

48. 071025 [Approving Conditional Use Application for property located at 601 Duboce Avenue]
Motion approving decision of the Planning Commission by its Motion No. 17444, approving Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue, and adopting findings pursuant to Planning Code Section 101.1.

Question: Shall this Motion be APPROVED?

49. 071026 [Disapproving Conditional Use Application for property located at 601 Duboce Avenue]
Motion disapproving decision of the Planning Commission by its Motion No. 17444, approving Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue.

Question: Shall this Motion be APPROVED?

50. 071027 [Findings - 601 Duboce Avenue Conditional Use Application Appeal]
Motion directing the Clerk to prepare findings related to the proposed Conditional Use Application 2004 0603CE on property located at 601 Duboce Avenue.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

51. 071031 [Public Hearing - Conditional Use Appeal for 4041 Geary Boulevard]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17448 dated June 14, 2007, approving Conditional Use Application No. 2007.0286C, subject to certain conditions, to allow the establishment of a Formula Retail Use (dba Starbucks, retail coffee store), with approximately 750 square feet in floor area in a vacant commercial space located in a recently approved auto service and repair shop (dba "Service Center for San Francisco Toyota"), a one-story commercial building. The project site is located in an NC-3 (Moderate Scale) Neighborhood Commercial District and a 40-X Height and Bulk District on property located at 4041 Geary Boulevard, Lot 050 on Assessor's Block 1540. (Appellant: Jesse Fink, Clement Street Merchant Association.)
(Filed 7/11/07; companion measure to Files 071032, 071033, 071034; District 1.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

52. 071032 [Approving Planning Commission decision related to Conditional Use Appeal for 4041 Geary Boulevard]
Motion approving decision of the Planning Commission by its Motion No. 17448, approving Conditional Use Application No. 2007.0286C on a property located at 4041 Geary Boulevard, and adopting findings pursuant to Planning Code Section 101.1.
53. 071033 [Disapproving Planning Commission decision related to Conditional Use Appeal for 4041 Geary Boulevard]
Motion disapproving decision of the Planning Commission by its Motion No. 17448, approving Conditional Use Application No. 2007.0286C on a property located at 4041 Geary Boulevard, and adopting findings pursuant to Planning Code Section 101.1.

Question: Shall this Motion be APPROVED?

54. 071034 [Preparation of findings related to the Conditional Use Appeal for 4041 Geary Boulevard]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2007.0286C on a property located at 4041 Geary Boulevard, for action by the Board at its next meeting.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee on August 2, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, August 7, 2007.

55. 070993 [Settlement of Lawsuit - Francisco Moreno, et al.]
Ordinance authorizing settlement of the lawsuit filed by Francisco Moreno, Maria Govea, Mauricio Moreno and Nancy Moreno against the City and County of San Francisco for \$112,000; the lawsuit was filed on November 18, 2005 in United States District Court, Case No. C05-4752; entitled Francisco Moreno, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

56. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

57. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

**58. 071118 [Legislative Analyst Request - Graffiti Abatement Program]
Supervisor Sandoval**

Motion requesting the Legislative Analyst to draft a model graffiti abatement program for implementation by the City and County of San Francisco; to research the efforts of other city and/or county municipalities directed toward graffiti abatement; including: outreach, programs, prevention and deterrence, penalties, fines and any or all related programs or efforts; to report back its findings to the Board of supervisors and provide a copy of its findings to the Graffiti Advisory Board.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 59 through 68

59. 071100 [Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 6, 2007 Election]
Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for Charter Amendments approved by the Board of Supervisors for submittal to the voters at the November 6, 2007 Election.
(Clerk of the Board)
- 7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
7/31/2007, AMENDED.
7/31/2007, CONTINUED AS AMENDED. Continued to August 7, 2007
Question: Shall this Motion be APPROVED?
60. 071137 [Supporting the resource efficient building conference and expo West Coast Green]
Supervisor Mirkarimi
Resolution supporting the conference and expo West Coast Green, held in San Francisco at the Bill Graham Civic Auditorium.
- 7/31/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
61. 071138 [Phil Frank Day - July 31, 2007]
Supervisor Peskin
Resolution declaring July 31, 2007 as Phil Frank Day.
- 7/31/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
62. 071140 [Approval of a 45 day extension for Planning Commission review]
Supervisor Alioto-Pier
Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 790.55, 249.5, 781.8, 781.9, and 783 to remove grocery stores and other similar uses from prohibitions placed on the establishment of liquor stores in certain districts; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.
- 7/31/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

63. 071141 [Non Profit Appreciation Day - August 18, 2007]
Supervisor Peskin
Resolution proclaiming August 18, 2007 as Nonprofit Appreciation Day in San Francisco.
- 7/31/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
64. 071142 [Approval of a 60-day extension for Planning Commission review]
Supervisor Maxwell
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend the Planning Code regarding institutional master plan review for medical institutions.
- 7/31/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
65. 071144 [Local support for Leland Avenue Streetscape Improvements Project]
Supervisor Maxwell
Resolution authorizing local support for the Leland Avenue Streetscape Improvements Project, designating DPW as the eligible sponsor for funding related to this project, and taking other official acts in furtherance of this project.
- 7/31/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
66. 071143 [Accept and Expend Regional Grant - Department of the Environment]
Supervisor Maxwell
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$35,000 from the Environmental Protection Agency for the purpose of implementing the Bayview Hunters Point (BVHP) Healthy Homes Project.
- 7/31/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
67. 071101 [Final Map 4039 - Candlestick Cove]
Motion approving Final Map 4039, being a Merger and Resubdivision for Condominium purposes of Lots 241 and 279 of Assessor's Block No. 4991, City and County of San Francisco and adopting findings pursuant to the General Plan and the City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 176,994; District 10.)
- 7/23/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

68. 071112 [Final Map for Blocks 26-28, Phase II, Planned Development, Mission Bay South]
Motion approving Final Map Tract 4141, Planned Development, Mission Bay (Blocks 26-28), a seven-lot subdivision project, being phase II of a subdivision of Lot 1 in Assessor's Block 8721; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents.
(Public Works Department)
(DPW Order 177,026; District 6.)

7/30/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda.

69. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 18, 2007 through July 30, 2007 for reference by the President to appropriate committee on August 7, 2007.

071156 [Planning Code Amendments to implement the Van Ness and Market Downtown Residential Special Use District]

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by adding Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

7/30/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/30/2007

071157 [Planning Code Amendments to implement the Market and Octavia Area Plan]

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD); Section 249.34 Fulton Street Grocery Store Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District; adding an uncodified Section 4 calling for a study and implementation of an additional affordable housing program, and providing that this ordinance and the accompanying Market and Octavia General Plan amendments and zoning map amendments will not be effective until the effective date of such a program adopted by the Board of Supervisors; and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

7/30/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/30/2007.

- 071158 [Approving General Plan Amendments Related to Market & Octavia Area Plan]**
Ordinance amending the San Francisco General Plan by adding a new area plan entitled the Market & Octavia Area Plan, and approving General Plan amendments to implement the Market and Octavia Neighborhood Plan by amending the Commerce and Industry, Housing, Recreation and Open Space and Transportation Elements, the Civic Center Area Plan, Downtown Area Plan, South of Market Area Plan, and the Land Use Index; providing the ordinance shall not be effective until the effective date of an additional affordable housing program for the Market and Octavia area plan to be adopted by the Board of Supervisors; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.
(Planning Department)

7/30/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/30/2007.

- 071159 [Zoning Map Amendment in connection with the Market and Octavia Area Plan]**
Ordinance amending Zoning Map Sheets 2, 2H, 2SU and 7, 7H, and 7SU of the City and County of San Francisco Planning Code to eliminate use districts and height and bulk districts within the Market and Octavia Plan Area; replacing them with revised use districts, height and bulk districts, and special use districts, consistent with those proposed in the Market and Octavia Area Plan; providing the ordinance shall not be effective until the effective date of an additional affordable housing program for the Market and Octavia area plan to be adopted by the Board of Supervisors; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Planning Department)

7/30/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/30/2007.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 18, 2007 through July 30, 2007 for reference by the President to appropriate committee on August 7, 2007.

- 071155 [Approval of one-year extension of professional services contract for the San Francisco Treasurer/Tax Collector for interactive voice response ("IVR") payment services for various City and County departments]**
Resolution approving one-year extension of professional services contract for the San Francisco Treasurer/Tax Collector for services to process credit card payment applications on interactive voice response ("IVR") systems for various City and County departments.
(Treasurer-Tax Collector)

7/30/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

Proposed motions received from July 18, 2007 through July 30, 2007 for reference by the President to appropriate committee on August 7, 2007.
none.

071154 [Petitions and Communications]

Petitions and Communications received from July 24, 2007 through July 30, 2007 for reference by the President to August 7, 2007.

From Public Utilities Commission, regarding status of removing graffiti at various locations in District 5. (Reference 20070710-005) Copy: Supervisor Mirkarimi (1)

From Port of San Francisco, submitting Resolution No. 07-53 adopted by the Port Commission in support of the Blue Angels Air Show. File 070931, Copy: Each Supervisor (2)

From Jack Wholely, regarding the tentative map appeal for 3150 Geary Boulevard. File 070985, Copy: Each Supervisor, City Attorney (3)

From Matt Leonard, submitting support for the implementation of Community Choice Aggregation in San Francisco. File3, Copy: Each Supervisor, 2 letters (4)

From various City departments, submitting list of sole source contracts entered into during fiscal year 2006-2007: (5)

Fire Department

Municipal Transportation Agency

From Clerk of the Board, submitting Form 700 Statement of Economic Interests from: (6)

Cathleen Sullivan, Member of the SF LAFCO

Katherine Higgins, Legislative Assistant to Supervisor Sophie Maxwell

Pilar Schiavo, Legislative Assistant to Supervisor Tom Ammiano

Kay Gulbengay, Deputy Director II

From Department of Public Works, regarding status on removing graffiti from pillars of the pedestrian walkway at O'Farrell and Geary Street and emergency box at the corner of Fulton and Clayton Street. (Reference 20070710-001) Copy: Supervisor Mirkarimi (7)

From Department of Public Works, regarding status on removing graffiti from newsstands at various locations in District 5. (Reference 20070710-013) Copy: Supervisor Mirkarimi (8)

From Department of Public Works, regarding status on removing graffiti at various locations in District 5. (Reference 20070710-006) Copy: Supervisor Mirkarimi (9)

From concerned citizens, regarding the appeal of final mitigated negative declaration for 3400 Cesar Chavez Street. File 070708, Copy: Each Supervisor, City Attorney, 42 letters (10)

From concerned citizens, regarding appeal of determination of categorical exemption for the Earthlink Wi-Fi proposal. File 070800, Copy: Each Supervisor, 4 letters (11)

From Department of Public Health, submitting request for waiver of Administrative Code 12B and 14B for Safeway, Inc. (12)

From Judith Hoyem, submitting support for the landmark appeal of the UCB extension site at 55 Laguna Street. File 071028 (13)

From concerned citizens, submitting opposition to the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 2 letters (14)

From Kimo Crossman, commenting on a study conducted on cell towers conducted in the United Kingdom. File 070077, Copy: Each Supervisor (15)

From Department of Public Health, submitting monthly STD report for the month of June 2007. (16)

From Christian Holmer, regarding immediate disclosure requests. 6 letters (17)

From Human Services Agency, regarding human services care fund fiscal year 2006-2007 4th quarter update. (18)

From concerned citizens, submitting appreciation to the Board for passing the City budget with increased funding for City parks. 24 letters (19)

From Kimo Crossman, commenting on SOTF charging for paper copies of emails previously sent. (20)

From Potrero Boosters Neighborhood Association, commenting at Halloween in Mission Bay. 3 letters (21)

From concerned citizens, regarding the lack of available street parking in their neighborhood. File 070428, Copy: Each Supervisor, 8 letters (22)

From Count Gramalkin, commenting on the proposed gun offender registry. File 070689, Copy: Each Supervisor (23)

From Socrates Cara, commenting on the proposed ordinance to ban firearms on County property. File 070682, Copy: Each Supervisor (24)

From Howard L. Chabner, regarding the Planning Commission's approval of the California Pacific Medical Center Neurosciences Institute at the Davies campus. (25)

From Jodi Watson, commenting on the lack of response from 311/28 Clean and DPW to pick up bio-hazardous waste. (26)

From Steve Rice, regarding a proposed ballot measure by the Mayor to block Community Choice Aggregation. Copy: Each Supervisor (27)

From concerned citizen, commenting on the number of international students allowed to attend classes at all of San Francisco's College/Universities. (28)

From Winfred Jew, regarding the SFPD Honda Unit. Copy: Each Supervisor (29)

From concerned citizens, commenting on the recent crime wave the Marina District neighborhood. Copy: Supervisor Aioto-Pier, 2 letters. (30)

From Robbie Hansen, regarding the proposed cancellation of events during Fleet Week. (31)

From Linda Sabau, regarding various issues and concerns. Copy: Each Supervisor (32)

From Jeff Wozniak, commenting on problems regarding Golden Gate Park. Copy: Each Supervisor (33)

From Thomas Orgain, commenting on homeowners concerns that District 4 has legal and appropriate representation at the Board. Copy: Supervisor Peskin (34)

From Thomas Ferriole, commenting on the Civil Grand Jury Report of July 9, 2007 on the Entertainment Commission. (35)

From John Kasper, regarding July 20, 2007 article: "Duboce "Bottle Snatcher". (36)

From Ron Chornow, urging Supervisor Daly to have a crosswalk placed at the intersection of 8th and Natoma Street. Copy: Supervisor Daly (37)

From Benjie Go, commenting on pedestrians jaywalking across the Hall of Justice on Bryant Street. Copy: Each Supervisor (38)

From concerned citizens, commenting on the problem of homelessness in San Francisco. 2 letters (39)

From George Lewis, commenting on crime in the Mission District. Copy: Each Supervisor (40)

From Jimmy Lembcke, commenting on the ongoing graffiti problem. 2 letters (41)

From Lee Strawser, regarding various comments and concerns. (42)

From Janas Page, commenting on the bedbug epidemic. (43)

From Sue Voelkel, commenting on fare-free public transit. (44)

From Patty Riek, commenting on smoking at the Alemany Farmers' Market. (45)

From Craig Dawson, commenting on the Natural Areas Program. (46)

From Gene Eplett, commenting on Police Captain for the Northern Station, Kevin Dillon. Copy: Each Supervisor, 2 letters (47)

From Dwayne Newton, commenting on various issues and concerns. (48)

From Andy Scarbrough, commenting on various concerns. (49)

From Service Employee International Union, submitting copy of letter written to the San Francisco Housing Authority regarding employee morale. (50)

From Erik Honda, commenting on the Davies Medical Center expansion. (51)

From Department of Public Works, regarding status on removing graffiti from mailboxes at the Northeast corner of Golden Gate and Pierce Street and garbage cans at the Southwest corner of Waller and Downey Street. (Reference 2000612-006) Copy: Supervisor Mirkarimi (52)

From Department of Public Works, regarding status on removing graffiti from emergency boxes at the Southeast corner of Cole and Frederick Street and the Northeast corner of Hayes and Broderick. (Reference 20060612-008) Copy: Supervisor Mirkarimi (53)

From Kimo Crossman, regarding referral letters to the Ethics Commission. (54)

From Office of the Controller, submitting Controller's annual report for municipal code-mandated fee reviews and schedules, fiscal year 2007-2008. (55)

APPOINTMENTS BY THE MAYOR

Commission on the Status of Women
Kay Gulbengay

Golden Gate Park Concourse Authority
Nancy Conner
Douglas Moran

Airport Commission
Eleanor Johns

Rent Board
Bart Murphy
Larry Becker
Deborah Henderson

Commission on the Environment
Angelo King

Relocation Appeals Board
Steven Lee
Albert Seto
Harry Kim
Essie Webb

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised August 2, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance approving interim zoning controls requiring conditional use authorization for new development in the Bernal Heights Brewster/Joy Neighborhood on the East Slope of Bernal Heights, and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.	071122	Land Use and Economic Development Committee	Supervisor Ammiano	7/31/07	8/30/07
Ordinance adding Section 410 of the Environment Code to require S.F. employers to offer commuter benefits to encourage employees to use public transit or van pools; to authorize Department of the Environment to implement an Emergency Ride Home program; to transfer the existing Section 410 to Section 412 of the Environmental Code; and to make environmental findings.	071133	Budget and Finance Committee	Supervisors Mirkarimi, Peskin, Daly	7/31/07	8/30/07
Ordinance amending Police Code Sections 1060, 1060.1, 1060.2, 1060.3, 1060.5, 1060.20, 1060.23, 1060.24, 1060.25 and 1060.29; repealing Section 1060.22; and adding Sections 1060.30 and 1060.31, relating to the application, approval, amendment, suspension, revocation, and transfer of Place of Entertainment Permits and One Night Event Permits, including changes in penalties for violations of law.	071135	Public Safety Committee	Supervisor Peskin	7/31/07	8/30/07
Ordinance amending Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park	071136	City Operations and Neighborhood Services Committee	Mayor	7/31/07	8/30/07

from 8:00 p.m. to 8:00 a.m.					
Ordinance amending Health Code by adding Article 36, sections 3601 through 3609, to: (1) require businesses located in the City and County of San Francisco to post point-of-sale warnings on administering cough and cold medicine to infants and children younger than 2 years, and (2) provide penalties for violations.	071089	City Operations and Neighborhood Services Committee	Supervisors Alioto-Pier, Dufty	7/24/07	8/23/07
Ordinance adding Planning Code Section 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee; and making findings including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.	071050	Budget and Finance Committee	Supervisor Alioto-Pier	7/17/07	8/16/07
Charter amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.	071051	Rules Committee	Supervisor Alioto-Pier	7/17/07	8/16/07
Ordinance amending Administrative Code by adding a new Chapter 27 to: 1) require the Mayor to centralize the City's workforce development efforts under the Mayor's Office of Economic and Workforce Development (MOEWD), or successor agency; 2) require the Mayor to manage all general fund expenditures on workforce development, create City-	071056	Rules Committee	Supervisor Mirkarimi	7/17/07	8/16/07

wide workforce development policy, submit all grant applications to the State or federal government for workforce development funding on behalf of the City, subject to approval by the Board of Supervisors, and annually report to the Board of Supervisors workforce development policies, among other things; 3) require City departments to enter into Memoranda of Understanding with the Mayor's Office as a condition of funding for workforce development dollars.					
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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

DOCUMENTS DEPT

AUG - 3 2007

SAN FRANCISCO
PUBLIC LIBRARY

General Notice

Transmitted: 08-02-07

A public hearing will be held on 8/14/07 at 4:00 p.m., or as soon as possible after this time, at Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subject. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the listed file to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

071037 Appeal of Determination of Exemption from Environmental Review for project at Wawona Street and 15th Avenue (aka "445 Wawona Street")

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 12, 2007, Case No. 2006.0608E, exempting from environmental review under Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332). The project would construct eight 3,760 square-foot, three-story, 3 bedroom, 35-feet high detached residential units with below-grade parking on eight vacant lots created out of a portion of the Ardenwood residential care facility property at 445 Wawona Street. The project site is located at the intersection of Wawona Street and 15th Avenue on the block bounded by 19th Avenue and Sloat Boulevard in the West Portal Neighborhood (Assessor's Block 2540, Lots 93-100). The project site was subdivided from the 532,738 square-foot (12.23-acre) Ardenwood property (Assessor's Block 2540, Lot 8) in 2006, creating nine new lots. No changes are proposed for the Ardenwood residential care facility. The project site is currently vacant open space with the exception of a greenhouse/storage structure, which would be demolished as part of the project. The project site is located within the RH-1(D) (One-Family, Detached Dwellings) zoning district and a 40-X height and bulk district. (Appellants: Matthew and Claudia Chamberlain and Susan Hewitt filed July 6, 2007)

Angela Calvillo, Clerk of the Board

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, August 14, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

DOCUMENTS DEPT

AUG - 9 2007

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Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsuprvs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sof@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for July 17, 2007 and July 24, 2007.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition 1 in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 19**Recommendations of the Budget and Finance Committee**

Present: Supervisors Peskin, Ammiano, Duffy

1. 071057 **[Accept-Expend Regional Grant - Airport Commission]**
Mayor
Resolution authorizing the Airport Commission to accept and expend a grant of \$609,711 from the Bay Area Air Quality Management District (Air District), and a matching grant of \$500,000 from the California Department of Transportation for the retrofit of diesel buses by Airport transportation operators.

Question: Shall this Resolution be ADOPTED?
2. 071063 **[Authorizing the Committee on Information Technology to amend its contract with Central Computer Systems by more than \$500,000]**
Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment to the Agreement between the City and Central Computer Systems (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's not-to-exceed amount by more than \$500,000.
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?
3. 071077 **[Lease of Real Property at 400 McAllister Street]**
Resolution authorizing the lease of 1,118 square feet of space to the Nasra Family Partnership, in the Courthouse located at 400 McAllister Street on behalf of the Superior Court.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?
4. 071078 **[Fire Department Eligibility Renewal Application for State and Federal Surplus Personal Property Program]**
Resolution authorizing the San Francisco Fire Department to apply to renew its eligibility for the State and Federal Surplus Personal Property Program.
(Fire Department)

Question: Shall this Resolution be ADOPTED?

5. 071086 [Multifamily Housing Revenue Bonds - Mason Street Apartments]
Mayor
Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$28,000,000 for the purpose of providing financing for a multifamily rental housing project to be known as Mason Street Apartments; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Duffy

6. 071155 [Approval of one-year extension of professional services contract for the San Francisco Treasurer/Tax Collector for interactive voice response ("IVR") payment services for various City and County departments]
Resolution approving one-year extension of professional services contract for the San Francisco Treasurer/Tax Collector for services to process credit card payment applications on interactive voice response ("IVR") systems for various City and County departments.
(Treasurer-Tax Collector)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

7. 070997 [MOU, San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1), to be effective July 1, 2007 through June 30, 2011.
(Fiscal Impact)
(No Economic Impact)

8/7/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 070998 [MOU, San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2)]
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2), to be effective July 1, 2007 through June 30, 2011.
(Fiscal Impact)
(No Economic Impact)

8/7/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

9. 070976 **[Settlement of Lawsuit - Edwin Macon, Sr.]**
Ordinance authorizing settlement of the lawsuit filed by Edwin Macon, Sr. against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 14, 2006 in United States District Court, Northern District of California, Case No. C06-4904 SI; entitled Edwin Macon, Sr., et al., v. City and County of San Francisco, et al.
(City Attorney)
(No Economic Impact)

8/7/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 070977 **[Settlement of Lawsuit - Pacific Bell Telephone Company]**
Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$52,500.00; the lawsuit was filed on March 16, 2006 in San Francisco County Superior Court, Case No. 450-385; entitled Pacific Bell Telephone Company v. City and County of San Francisco, et al; there are no other material terms of said settlement.
(City Attorney)
(No Economic Impact)

8/7/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 070978 **[Settlement of Lawsuit - Nawal Rizkallah]**
Ordinance authorizing settlement of the lawsuit filed by Nawal Rizkallah against the City and County of San Francisco for \$100,000; the lawsuit was filed on April 3, 2006 in San Mateo Superior Court, Case No. 453874; entitled Nawal Rizkallah v. City and County of San Francisco, et al.
(City Attorney)
(No Economic Impact)

8/7/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 070979 **[Settlement of Lawsuit - Ophelia Alvarez]**
Ordinance authorizing settlement of the lawsuit filed by Ophelia Alvarez against the City and County of San Francisco for \$117,500; the lawsuit was filed on November 7, 2005 in San Francisco Superior Court, Case No. 446448; entitled Alvarez, et al., v. City and County of San Francisco, et al.
(City Attorney)
(No Economic Impact)

8/7/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 070993 [Settlement of Lawsuit - Francisco Moreno, et al.]
Ordinance authorizing settlement of the lawsuit filed by Francisco Moreno, Maria Govea, Mauricio Moreno and Nancy Moreno against the City and County of San Francisco for \$112,000; the lawsuit was filed on November 18, 2005 in United States District Court, Case No. C05-4752; entitled Francisco Moreno, et al. v. City and County of San Francisco, et al.
(City Attorney)
- 8/7/2007, PASSED ON FIRST READING
Question: Shall this Ordinance be FINALLY PASSED?
14. 070994 [Settlement of Lawsuit - Dave Alba et al.]
Ordinance authorizing the settlement of a lawsuit filed by Dave Alba et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$625,000.00; the lawsuit was filed on April 22, 2005, in the United States District Court for the Northern District, Case No. C05-01667, entitled Dave Alba, et al., v. City and County of San Francisco.
(City Attorney)
- 8/7/2007, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 071062 [Settlement of Lawsuit - Pacific Gas and Electric Company]
Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$818,000, plus interest through the date of entry of judgment; the lawsuit was filed on September 12, 2005 in San Mateo Superior Court, Case No. CGC-05-449522; entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation For Entry Of Judgment In Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071062.
(City Attorney)
- 8/7/2007, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

16. 071042 [Appointment - Immigrant Rights Commission]

Resolution appointing Christopher Punongbayan, Angus McCarthy, Felix Fuentes, Falguni Sheth and Toye Moses, terms ending June 6, 2009, to the Immigrant Rights Commission.

Christopher Punongbayan, succeeding Deborah Escobedo, term expired, seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Angus McCarthy, succeeding himself, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Felix Fuentes, succeeding Samira McCoy, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Falguni Sheth, succeeding Phu Nguyen, term expired, seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Toye Moses, succeeding himself, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Question: Shall this Resolution be ADOPTED?

17. 071103 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing Lila McCarthy, term ending March 31, 2008, to the Commission on the Aging Advisory Council.

Lila McCarthy, succeeding Robert Lipman, term expired, seat 1, must be a nominee of District 2 Supervisor, for the unexpired portion of a two-year term ending March 31, 2008.

Question: Shall this Resolution be ADOPTED?

18. 071105 [Appointment - Assessment Appeals Board No. 2]
Resolution appointing Margaret Ruxton, Mervin Conlan, and Richard Lee, terms ending September 6, 2010, to Assessment Appeals Board No. 2.
Margaret Ruxton, succeeding herself, term expiring September 3, 2007, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a new three-year term ending September 6, 2010.
Mervin Conlan, succeeding himself, term expiring September 3, 2007, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a new three-year term ending September 6, 2010.
Richard Lee, succeeding himself, term expiring September 3, 2007, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a new three-year term ending September 6, 2010.

Question: Shall this Resolution be ADOPTED?

19. 071110 [Appointment - SRO Task Force]
Resolution appointing Jorge Portillo, term ending December 31, 2009, to the SRO Task Force.
Jorge Portillo, succeeding Christina Olague, resigned, seat 5, must be a representative of the Mission SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2009.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Called From the City Operations and Neighborhood Services Committee

20. 060589 [Liquor License Transfer, 845 Market Street, Space 010]
Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

8/15/2006, CONTINUED. Continued to September 12, 2006

9/12/2006, CONTINUED. Continued to September 19, 2006

9/19/2006, RE-REFERRED to City Operations and Neighborhood Services Committee.

3/20/2007, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Dufty called this measure from City Operations and Neighborhood Services Committee.

3/27/2007, CONTINUED. Continued to April 10, 2007.

4/10/2007, CONTINUED. Continued to April 17, 2007.

4/17/2007, CONTINUED. Continued to June 5, 2007.

6/5/2007, CONTINUED. Continued to July 31, 2007.

7/31/2007, CONTINUED. Continued to August 14, 2007

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

21. 070217 [Zoning - Interim moratorium on installation of microcell equipment]
Supervisors Peskin, Jew, Sandoval, McGoldrick, Maxwell, Daly, Mirkarimi, Ammiano, Dufty, Alioto-Pier, Elsbernd
Urgency Ordinance approving an interim zoning moratorium on installation of microcell equipment for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

3/6/2007, CONTINUED. Continued to April 17, 2007.

4/17/2007, CONTINUED. Continued to May 22, 2007.

5/22/2007, CONTINUED. Continued to June 12, 2007.

6/12/2007, CONTINUED. Continued to July 31, 2007.

7/31/2007, CONTINUED. Continued to August 14, 2007

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

22. 070921 [Amendments to Minimum Compensation Ordinance]

Supervisors Ammiano, Peskin, McGoldrick

Ordinance amending the San Francisco Administrative Code by amending Sections 12P.2, 12P.3, 12P.4, 12P.5, 12P.6, 12P.7, 12P.8 and, 12P.9 and by adding Sections 12P.5.1, 12P.6.1 and 12P.6.2, to amend the Minimum Compensation Ordinance by making both substantive and clarifying changes with respect to: the obligations imposed on Contractors; notification, investigation, auditing, inspection, enforcement and settlement procedures; the withholding of contract payments; provisions relating to waivers; certain definitions, including the definition of Covered Employees; procedures for automatic increases to the hourly wage rate; the assessment of liquidated damages; and the process for determining whether a Contractor has violated the Ordinance and for the administrative appeal of such determinations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Ammiano, Duffy, McGoldrick

23. 070961 [Recreation and Park Commission--Authorization to Modify Golf Course Hours and Fees; Creation of Golf Course Task Force]

Supervisor McGoldrick

Ordinance adding Section 12.46 to Article 12 of the San Francisco Park Code to authorize the Recreation and Park Commission to modify golf course hours and fees; and to create a Golf Course Task Force that will evaluate measures to reduce General Fund support for operation and maintenance of golf courses, and explore alternative revenue sources.

(No Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 071128 [De-appropriating \$45,717 of General Fund and Appropriating \$45,717 for a Golf Course Task Force in the Department of Recreation and Park for Fiscal Year 2007-2008]

Supervisor McGoldrick

Ordinance de-appropriating \$45,717 for Golden Gate Park Stables in the Department of Recreation and Park, and appropriating \$45,717 for a half-time 1823 Senior Administrative Analyst position to staff a Golf Course Task Force in the Department of Recreation and Park for Fiscal Year 2007-2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 071129 [Public Employment - Recreation and Park Department]
Supervisor McGoldrick
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of one position (.37 FTE) Class 1823 - Senior Administrative Analyst in the Recreation and Park Department.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammiano, Duffy

26. 071065 [Approving a contract in excess of \$10 million]
Resolution approving an Agreement between the City and County of San Francisco and Pioneer Americas LLC for sodium hypochlorite, a contract estimated to exceed \$10 million, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

27. 071084 [Renew Joint Power and Revolving Fund Contract with State]
Supervisor Mirkarimi
Resolution authorizing the Department of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (1) contract for, accept and expend up to \$1,184,530 allocated from the California Victim Compensation and Government Claims Board for the assistance of victims and witnesses of crime for the period of July 1, 2007 through June 30, 2009; and (2) renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault for an additional two years from July 1, 2007 through June 30, 2009.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

28. 070213 [Planning - public review process for wireless telecommunications services facilities as accessory uses]
Supervisor Peskin
Ordinance amending the Planning Code Section 311 and 312 to apply the public review processes for building permit applications in R and NC Districts to wireless telecommunications services facilities permitted as accessory uses under Article 2 of the Planning Code, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

5/22/2007, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 070904 [Permits for communications companies and equipment]
Ordinance amending Chapter 11, Article 1 of the San Francisco Administrative Code by amending Sections 11.1 and 11.9 to authorize state video franchise holders and personal wireless service carriers to obtain utility conditions permits, requiring persons installing personal wireless service facilities in the public rights-of-way to obtain personal wireless service facilities site permits, imposing fees for personal wireless service facilities site permits, and making environmental findings. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Annmiano, Elsbernd, Peskin

30. 070505 [Expanding Post-Employment Restrictions For Senior Mayoral Staff and Board Aides]
Supervisor Peskin
Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to prohibit individuals who have served as senior staff members to either the Mayor or a member of the Board of Supervisors from communicating with any representative of the City with the intent to influence a government decision for one year after they terminate employment with the City.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 070590 [Requiring that individuals be provided access to Residential Hotels as visitors of guests and occupants to assist in "get out the vote" activities]
Supervisor Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Section 41D.4, to require that individuals engaged in "get out the vote" activities be provided access to Residential Hotels as visitors of guests and occupants, on the same basis as any other visitor under the Uniform Visitor Policy.
(Supervisor Elsbernd Dissenting in Committee)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 32. 070884 [Reorganization of the Family Violence Council to concentrate on child abuse and elder abuse in addition to domestic violence]**
Mayor, Supervisors Maxwell, Alioto-Pier
Ordinance amending Article XIX of the San Francisco Administrative Code to change the focus of the Family Violence Council to include child abuse and senior/adult dependent abuse in addition to domestic violence; reducing the membership of the Council's steering committee from ten members to three members (the three co-chairs of the Council); reducing the membership of the Council from 45 members (35 of whom are selected by the Steering Committee and 10 of whom are specified public officials or directors of nonprofit agencies, or their designees) to 19 members (17 required members who are specified public officials or directors of nonprofit agencies, or their designees, and 2 of whom are optional, at-large members appointed by the Steering Committee); eliminating the advisory committee to the Council and assigning the duties currently performed by the advisory committee to the Council as a whole; and deleting that portion of the Ordinance that allows the Council to establish an Interagency Domestic Violence Death Review Team.
(No Economic Impact)

7/10/2007, SUBSTITUTED. Mayor submitted a substitute ordinance bearing the same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 33. 070593 [SRO Voter Education and Registration]**
Supervisor Mirkarimi
Resolution urging increased voter education and registration outreach to SRO residents by the Department of Elections and urging SRO managers and owners to facilitate access for these purposes.

5/8/2007, REFERRED to Land Use and Economic Development Committee. Supervisor Alioto-Pier requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

- 34. 071104 [Appointment - Assessment Appeals Board No. 1]**
Resolution appointing Jeffrey Morris, term ending September 6, 2010, to Assessment Appeals Board No. 1.
Jeffrey Morris, succeeding Peter Fatooh, term expiring September 3, 2007, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 6, 2010.
(Supervisor Elsbernd Dissenting in Committee)

Question: Shall this Resolution be ADOPTED?

35. 071109 [Appointment - SOMA Community Stabilization Fund Community Advisory Committee]
Resolution appointing Jazzie Collins, Ada Chan, and Angelica Cabande, terms ending April 27, 2009, to the SOMA Community Stabilization Fund Community Advisory Committee, San Francisco elector requirement waived.
Jazzie Collins, succeeding herself, term expired, seat 3, must be a senior or disabled resident of SOMA, for the unexpired portion of a two-year term ending April 27, 2009.
Ada Chan (San Francisco elector requirement waived), succeeding herself, term expired, seat 4, must have affordable housing expertise and familiarity with the SOMA neighborhood, for the unexpired portion of a two-year term ending April 27, 2009.
Angelica Cabande (San Francisco elector requirement waived), succeeding Donald Frazier, resigned, seat 5, must represent a community-based organization in SOMA, for the unexpired portion of a two-year term ending April 27, 2009.

Question: Shall this Resolution be ADOPTED?

36. 071200 [Appointment - Assessment Appeals Board No. 1]
Resolution appointing Carol Ruth Silver, term ending September 6, 2010, to Assessment Appeals Board No. 1.
Carol Ruth Silver, succeeding herself, term expiring September 3, 2007, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 6, 2010. (Supervisor Peskin Dissenting in Committee)

Question: Shall this Resolution be ADOPTED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

37. 070666 [Allowing for closed sessions of the Board of Supervisors to discuss information related to matters posing a threat to public facilities]
Supervisor Alioto-Pier
Motion amending Rule 1.8 of the Rules of Order to allow for closed sessions of the Board of Supervisors to discuss information related to matters posing a threat to the security of public buildings or a threat to the public's right of access to public services or public facilities.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

38. 071028 [Public Hearing - Landmark Appeal, U.C. Extension Center, 55 Laguna Street (formerly San Francisco State Teachers College)]
Hearing of persons interested in or objecting to (1) the decision of the Planning Commission by its Resolution No. 17445 adopted June 7, 2007, disapproving the proposal of the Landmarks Preservation Advisory Board to designate the U.C. Extension Center as a San Francisco Landmark on property located at 55 Laguna Street (formerly San Francisco State Teachers College); Lots 001, 001A in Assessor's Block 0857 and Lots 001, 002, and 003 in Assessor's Block 0870. (Appellants: Robert W. Cherny, Acting President, Landmarks Preservation Advisory Board filed on July 2, 2007 and F. Joseph Butler on behalf of the San Francisco Preservation Consortium filed on July 6, 2007.) or (2) designation by the Board of Supervisors of the U.C. Extension Center, located at 55 Laguna Street, Lots 001, 001A in Assessor's Block 0857 and Lots 001, 002 and 003 in Assessor's Block 0870 as a San Francisco Landmark.
(Filed July 2 and 6, 2007; Companion measure to 071029, 071030, 071081; District 8.)

7/31/2007, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members.

There were none.

Continued to August 14, 2007 at 3:00 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the landmark designation described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

39. 071029 [Approving decision of The Planning Commission Disapproving Proposed Landmark Designation of 55 Laguna Street]
Motion approving the decision of the Planning Commission disapproving proposed landmark designation of 55 Laguna Street.
(Clerk of the Board)

7/31/2007, CONTINUED. Continued to August 14, 2007 at 3:00 p.m.

Question: Shall this Motion be APPROVED?

40. 071030 [Disapproving decision of the Planning Commission Disapproving Proposed Landmark Designation of 55 Laguna Street].
Motion disapproving the decision of the Planning Commission disapproving proposed landmark designation of 55 Laguna Street.
(Clerk of the Board)

7/31/2007, CONTINUED. Continued to August 14, 2007 at 3:00 p.m.

Question: Shall this Motion be APPROVED?

41. 071081 [Findings - 55 Laguna Landmark Designation Appeal]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning the appeal of the Planning Commission's disapproval of a landmark designation of 55 Laguna Street.
(Clerk of the Board)

7/31/2007, CONTINUED. Continued to August 14, 2007 at 3:00 p.m.

Question: Shall this Motion be APPROVED?

42. 071082 [Landmark Designation of 55 Laguna Street (U.C. Extension Center, formerly known as the San Francisco State Teacher's School)]
Ordinance Designating 55 Laguna Street (U.C. Extension Center, formerly known as the San Francisco State Teacher's School) as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(City Attorney)

7/2/2007, RECEIVED AND ASSIGNED to Board of Supervisors.

7/31/2007, CONTINUED. Continued to August 14, 2007 at 3:00 p.m.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

43. 071037**[Appeal of Determination of Exemption from Environmental Review for project at Wawona Street and 15th Avenue (aka "445 Wawona Street")]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 12, 2007, Case No. 2006.0608E, exempting from environmental review under Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332). The project would construct eight 3,760 square-foot, three-story, 3 bedroom, 35-feet high detached residential units with below-grade parking on eight vacant lots created out of a portion of the Ardenwood residential care facility property at 445 Wawona Street. The project site is located at the intersection of Wawona Street and 15th Avenue on the block bounded by 19th Avenue and Sloat Boulevard in the West Portal Neighborhood (Assessor's Block 2540, Lots 93-100). The project site was subdivided from the 532,738 square-foot (12.23-acre) Ardenwood property (Assessor's Block 2540, Lot 8) in 2006, creating nine new lots. No changes are proposed for the Ardenwood residential care facility. The project site is currently vacant open space with the exception of a greenhouse/storage structure, which would be demolished as part of the project. The project site is located within the RH-1(D) (One-Family, Detached Dwellings) zoning district and a 40-X height and bulk district. (Appellants: Matthew and Claudia Chamberlain and Susan Hewitt filed July 6, 2007) (Filed July 6, 2007; companion measure to 071038, 071039, 071040; District 7.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

44. 071038 [Affirming the categorical exemption issued for 445 Wawona Street]
Motion affirming the determination by the Planning Department that the 445 Wawona Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

45. 071039 [Disapproving the categorical exemption issued for 445 Wawona Street]
Motion disapproving the determination by the Planning Department that the 445 Wawona Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

46. 071040 [Preparation of findings related to the 445 Wawona Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 445 Wawona Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the City Operations and Neighborhood Services Committee on August 9, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, August 14, 2007.

47. 070667 [Medical Cannabis Dispensary Permits]
Supervisor Alioto-Pier
Ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; and (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; and (f) clarify the definition of "medical cannabis dispensary."

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered at a Special Meeting of the Government Audit and Oversight Committee on August 13, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 14, 2007.

48. 070931 [Seeking a permanent halt to the Blue Angels air show over San Francisco]
Supervisor Daly
Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.
(No Economic Impact)
- 6/26/2007, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be referred to Committee.
Question: Shall this Resolution be ADOPTED?
49. 071127 [Formalizing the Board of Supervisor's response to the Civil Grand Jury Recommendations]
Supervisor Elsbernd
Resolution amending the process by which the Board of Supervisors responds to the Civil Grand Jury Reports by adopting a resolution formally accepting or rejecting the Civil Grand Jury recommendations.
- Question: Shall this Resolution be ADOPTED?
50. 071174 [Approval of Amendment to Security Guard Services Contract]
Mayor
Resolution approving amendment to armed and unarmed security guard services contract for Municipal Railway Revenue and Cost Accounting Divisions.
- Question: Shall this Resolution be ADOPTED?
51. 071176 [Application for ABAG Priority Development Area Designation]
Supervisor Peskin
Resolution authorizing the San Francisco County Transportation Authority and the Mayor's Office of Housing to apply on behalf of the City and County of San Francisco for Priority Development Area designation by the Association of Bay Area Governments.
- Question: Shall this Resolution be ADOPTED?
52. 071177 [FY 2007-2008 California Constitution Appropriations Limit]
Supervisor Peskin
Resolution establishing the appropriations limit for Fiscal Year 2007-08 pursuant to California Constitution Article XIII B.
- Question: Shall this Resolution be ADOPTED?

53. 071188 [Authorizing the Issuance and Sale of Bonds by the Peninsula Corridor Joint Powers Board]
 Supervisor Maxwell
 Resolution authorizing the Issuance and Sale by the Peninsula Corridor Joint Powers Board of
 Farebox Revenue Bonds in an Aggregate Principal Amount Not Expected to Exceed \$22,000,000.

Question: Shall this Resolution be ADOPTED?

54. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

55. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 56 through 68

56. 071100 [Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 6, 2007 Election]
Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 6, 2007 Election.
(Clerk of the Board)

7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/31/2007, AMENDED.

7/31/2007, CONTINUED AS AMENDED. Continued to August 7, 2007

8/7/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

8/7/2007, CONTINUED AS AMENDED. Continued to August 14, 2007

Question: Shall this Motion be APPROVED?

57. 071179 [Lights Out San Francisco]
Supervisors McGoldrick, Alioto-Pier
Resolution to support extinguishing all non-essential lighting in all city government buildings, public schools and public landmarks for the hour between 7:00 PM and 8:00 PM on October 20, 2007 to conserve energy as part of the city-wide energy conservation event: Lights Out San Francisco, and establishing October 20, 2007 as Lights Out San Francisco Day.
- 8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
58. 071180 [Armando Peraza Day - September 1, 2007]
Supervisor Peskin
Resolution declaring September 1, 2007 "Armando Peraza Day" in San Francisco.
- 8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
59. 071181 [Eddie Fung Day - November 10, 2007]
Supervisor Peskin
Resolution declaring November 10, 2007 as Eddie Fung Day in San Francisco.
- 8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
60. 071182 [Commending John Barleycom Pub]
Supervisor Peskin
Resolution commending John Barleycom Pub for almost 40 years of enriching the City.
- 8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
61. 071183 [Sea Otter Awareness Week - September 23 - 29, 2007]
Supervisor Peskin
Resolution declaring September 23-29 Sea Otter Awareness Week.
- 8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
62. 071184 [Urging California's congressional delegation to support H.R. 2401]
Supervisor Sandoval
Resolution urging California's congressional delegation to support H.R. 2401.
- 8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

63. 071185 [Condemning defamatory language used by radio personality Michael Savage against the immigrant community]
Supervisors Sandoval, Ammiano
Resolution condemning defamatory language used by radio personality Michael Savage against the immigrant community.
- 8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
64. 071186 [Opposition to SB 670 (Correa)]
Supervisor Mirkarimi
Resolution in opposition to Senate Bill 670 (Correa) barring development fees imposed for the acquisition of open space, parks, public recreational facilities and other community benefits.
- 8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
65. 071187 [Commending Chad Jacobs]
Supervisor Peskin
Resolution commending Chad Jacobs for his outstanding years of service as a Deputy City Attorney.
- 8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
66. 071191 [Declaring the month of August, 2007 as Barry Lamar Bonds Month in the City and County of San Francisco]
Supervisors Duffy, Alioto-Pier, Maxwell, Peskin, McGoldrick
Resolution congratulating Barry Bonds on becoming the greatest home run hitter in the History of Major League Baseball and declaring the month of August, 2007 as Barry Lamar Bonds Month in the City and County of San Francisco.
- 8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
67. 071160 [Final Map - One South Park Avenue]
Motion approving Final Map 4064, a 35 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at One South Park Avenue being a subdivision of Lot 007 in Assessors Block No. 3775 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,016; District 6.)
- 8/2/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

68. 071161

[Final Map - 2145 California Street]

Motion approving Final Map 3115, a 5 Unit Residential Condominium Project, located at 2145 California Street being a subdivision of Lot 022 in Assessors Block No. 0651 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,035; District 5.)

8/2/2007 REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

69. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

None

PROPOSED RESOLUTIONS

Proposed resolutions received from July 31, 2007 through August 6, 2007 for reference by the President to appropriate committee on August 14, 2007.

071163 [Settlement of Unlitigated Claim - Wells Fargo]

Resolution approving the settlement of the unlitigated claim filed by Wells Fargo against San Francisco for \$43,678; claim was filed on May 23, 2007.
(City Attorney)

8/1/2007, RECEIVED AND ASSIGNED to Rules Committee.

071164 [Approval of two contracts with Siemens Medical Solutions USA, Inc. to support and maintain clinical and financial software applications in use by the Department]

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter into two contracts with Siemens Medical Solutions USA, Inc. (Siemens) for the continued licensing and maintenance of proprietary Siemens applications for the term July 1, 2007 through June 30, 2012.
(Public Health Department)

8/6/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

None

071202 [Petitions and Communications]

Petitions and Communications received from July 31, 2007 through August 6, 2007 for reference by the President to August 14, 2007.

From Department of Elections, submitting report on the facilities used by the Department of Elections. (1)

From various City departments, submitting list of sole source contracts entered into during fiscal year 2006-2007: (2)

Department of Emergency Management

Department of Building Inspection

Board of Appeals

Human Rights Commission

Arts Commission

Department of Human Resources

Office of the Controller

Department of Public Works

Department of Telecommunications and Information Services

Office of the Treasurer and Tax Collector

From Animal Care and Control, submitting request for waiver of Administrative Code 12B and 14B for Safeway, Inc. (3)

From Department of Public Works, regarding status on repairs of potholes and raised areas (bumps) at various locations in District 5. (Reference 20070410-015) Copy: Supervisor Mirkarimi (4)

From Department of Public Works, regarding status on repairing multiple potholes at the 100 block of Frederick Street. (Reference 20070619-008) Copy: Supervisor Mirkarimi (5)

From Claudia Chamberlain, regarding request for continuance of the appeal hearing for project at 445 Wawona Street and 15th Avenue. File 071037, Copy: Each Supervisor (6)

From Mary Miles, commenting on restoration of two-way traffic on Hayes Street. File 071097, Copy: Each Supervisor (7)

From Coblenz, Patch, Duffy & Bass LLP, regarding the Conditional Use/Mitigated Negative Declaration appeal for the 601 Duboce Avenue Medical Clinic and Office Building. File 071024, 070905, Copy: Each Supervisor (8)

From Department on the Status of Women, regarding adopted budget for fiscal year 2007-2008. (9)

From Building Inspection Commission, regarding appeal of Director's determination to grant an extension to file for an extension for 700 Montgomery Street. (10)

From Office of the Treasurer/Tax Collector, submitting the cash difference and overage fund balance and activities reported to the Office of the Treasurer/Tax Collector for the period ending July & July 2007. (11)

From Recreation and Park Department, submitting report for the 4th quarter of fiscal year 2006-2007 in response to the requirements of Resolution 157-99 Lead Poisoning Prevention. (12)

From concerned citizens, commenting on the mitigated negative declaration for 3400 Cesar Chavez Street. File 070708, Copy: Each Supervisor, 7 letters (13)

From David Grace, commenting on emergency preparedness and homeland security issues. File 070666 (14)

From Sedgwick, Detert, Moran & Arnold LLP, regarding a request for continuance of the tentative map appeal hearing for 3150 Geary Boulevard. File 070985, Copy: Each Supervisor (15)

From T Mobile, submitting notification letter to the California Public Utilities Commission regarding the cellular base site at 2601 Mission Street. (16)

From concerned citizens, urging the Board to support the immediate halt to the Lennar construction project in Bayview Hunters Point. File 071098, Copy: Each Supervisor, 10 letters (17)

From Georgia McInnis, submitting opposition to the agreement with Earthlink to provide wireless service to San Francisco. File 070800, Copy: Each Supervisor (18)

From Ivan Sokol, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor (19)

From concerned citizen, commenting on health dangers to school students caused by wireless. File 070077, Copy: Each Supervisor (20)

From concerned citizens, submitting support for the Davies Neuroscience Project at the Davies Medical Center Campus located at 601 Duboce Avenue. File 071024 / 070905, Copy: Each Supervisor, 40 letters (21)

From Nicole B. Mason, Esq., commenting on the proposed ordinance for issuance of permits to install certain telecommunications facilities in public rights-of-way. File 070904, Copy: Each Supervisor (22)

From concerned citizens, commenting on the proposed ban on the Blue Angels air show. File 070931, Copy: Each Supervisor, 2 letters (23)

From Sedgwick, Detert, Moran & Arnold, regarding tentative map approval appeal for 3150 Geary Boulevard. File 070985, Copy: Each Supervisor (24)

From Kara Knafelc, commenting on the Lorraine Hansberry Theatre. (25)

From Barbara A. Daily, commenting on the UC Berkeley Extension's Laguna Street Campus. File 071082, Copy: Each Supervisor (26)

From J. Kevin Hufford, submitting letter from the University of California, Berkeley regarding the 55 Laguna Street landmark appeal. File 071028, Copy: Each Supervisor (27)

From Francisco Da Costa, regarding Bayview Hunters Point. 4 letters (28)

From Tim Trahan, commenting on various issues and concerns. (29)

From Robert W. Vorkapich, commenting on purchasing a MUNI Fast Pass. (30)

From Ralph P. Mango, commenting on naming Candlestick park in honor of the late Bill Walsh. (31)

From Daniel Schneider, commenting on City parks and open spaces. (32)

From concerned citizens, commenting on service on MUNI's 23 line. Copy: Municipal Railway, 2 letters (33)

From Mike Zelinsky, commenting on City residency requirements. Copy: Supervisor Jew (34)

From Patrick Monette-Shaw, regarding increased crime in the Marina district. Copy: Supervisors Alioto-Pier, Mirkarimi (35)

From Steven Courlang, commenting on San Francisco's flag. (36)

From Henry Belli, commenting on pedestrian walkways for 19th Avenue. (37)

From Richard Everett, commenting on health care costs for City employees. (38)

From concerned citizens, submitting opposition to building a new Starbucks. File 071031, Copy: Each Supervisor, 3 letters (39)

From Dr. Ahimsa Porter Sumchai, regarding a rally scheduled for Friday, August 10, 2007. (40)

From Christian Holmer, regarding immediate disclosure response from the District Attorney. 2 letters (41)

From Katherine Higgins, regarding two prohibitions within the Government Code. (42)

From Sidney Bosley, urging the Board to support the conditional use appeal for 601 Duboce Avenue. File 071024, Copy: Each Supervisor, Approx. 50 post cards (43)

From Office of Clerk of the Board, submitting report of each City Department that provided the Board of Supervisors with a list of sole source contracts entered into during fiscal year 2006-07. (44)

From Department of Elections, regarding disclaimer requirements for local ballot measures. Copy: Each Supervisor (45)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 11, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

DOCUMENTS DEPT.

SEP - 7 2007

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for July 31, 2007, August 7, 2007 and August 14, 2007.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 11

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Jew

1. 071066 [Approval of the HIV Prevention Projects Grant application]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an interim progress report (IPR) in order to continue to receive funding for the HIV Prevention Projects grant from the Centers of Disease Control and Prevention (CDC). The amount of this annual recurring grant for the next grant year (January 1, 2008 to December 31, 2008) is expected to be approximately \$9 million. The due date of the IPR is September 4, 2007.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

2. 071119 [Accept and Expend FEMA Hazard Mitigation Grant Program Funds]

Supervisor Alioto-Pier

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$660,000 in Hazard Mitigation Grant Program funds through the Federal Emergency Management Agency to seismically retrofit the Millbrae Water Supply & Treatment Headquarters.

Question: Shall this Resolution be ADOPTED?

3. 071120 [Accept-Expend State Grant - Board of Supervisors]

Supervisor Alioto-Pier

Resolution authorizing the San Francisco Board of Supervisors to accept and expend \$275,000 in AB 471 funds from the California Resources Agency, Environmental Enhancement and Mitigation Program to fund Americans with Disabilities Act (ADA) and other improvements to Tulare Park.

Question: Shall this Resolution be ADOPTED?

4. 071130 [Provide SSI application assistance to the chronically homeless and mentally ill]
Supervisor McGoldrick
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$97,660 from the Social Security Administration (SSA) to provide SSI application assistance to the chronically homeless and mentally ill in San Francisco and to enter into an agreement for the use of these funds; for the period of May 1, 2007 to April 30, 2008, which includes a sub-contract with the San Francisco Bar Association's Homeless Advocacy Project (HAP) in the amount of \$59,620 for the same time period.

Question: Shall this Resolution be ADOPTED?

5. 071145 [Accept and Expend Regional Grant - Department of the Environment]
Mayor
Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds, in the amount of \$44,000 from the Bay Area Air Quality Management District (BAAQMD) to convert one Prius hybrid vehicle into a Plug-In Hybrid Electric Vehicle for the purpose of public outreach and demonstration.

Question: Shall this Resolution be ADOPTED?

6. 071146 [Accept-Expend Regional Grant - Department of the Environment]
Mayor
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$14,000.00 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

7. 070213 [Planning - public review process for wireless telecommunications services facilities as accessory uses]
Supervisor Peskin
Ordinance amending the Planning Code Section 311 and 312 to apply the public review processes for building permit applications in R and NC Districts to wireless telecommunications services facilities permitted as accessory uses under Article 2 of the Planning Code, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

5/22/2007, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

8/14/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 070904 [Permits for communications companies and equipment]
Ordinance amending Chapter 11, Article 1 of the San Francisco Administrative Code by amending Sections 11.1 and 11.9 to authorize state video franchise holders and personal wireless service carriers to obtain utility conditions permits, requiring persons installing personal wireless service facilities in the public rights-of-way to obtain personal wireless service facilities site permits, imposing fees for personal wireless service facilities site permits, and making environmental findings (Public Works Department)

8/14/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell

9. 071134 [Accept-Expend Grant - Public Defender]
Supervisor Maxwell
Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$70,000 from the Zellerbach Family Foundation for a court alternative specialist position dedicated to working with the children of incarcerated parents (CIP).

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

10. 070505 [Expanding Post-Employment Restrictions For Senior Mayoral Staff and Board Aides]
Supervisor Peskin
Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to prohibit individuals who have served as senior staff members to either the Mayor or a member of the Board of Supervisors from communicating with any representative of the City with the intent to influence a government decision for one year after they terminate employment with the City.

8/14/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 070884 [Reorganization of the Family Violence Council to concentrate on child abuse and elder abuse in addition to domestic violence]

Mayor, Supervisors Maxwell, Alinto-Pier

Ordinance amending Article XIX of the San Francisco Administrative Code to change the focus of the Family Violence Council to include child abuse and senior/adult dependent abuse in addition to domestic violence, reducing the membership of the Council's steering committee from ten members to three members (the three co-chairs of the Council); reducing the membership of the Council from 45 members (35 of whom are selected by the Steering Committee and 10 of whom are specified public officials or directors of nonprofit agencies, or their designees) to 19 members (17 required members who are specified public officials or directors of nonprofit agencies, or their designees, and 2 of whom are optional, at-large members appointed by the Steering Committee); eliminating the advisory committee to the Council and assigning the duties currently performed by the advisory committee to the Council as a whole; and deleting that portion of the Ordinance that allows the Council to establish an Interagency Domestic Violence Death Review Team.

(No Economic Impact)

7/10/2007, SUBSTITUTED. Mayor submitted a substitute ordinance bearing the same title.

8/14/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

12. 071264 [Findings - Disapproval of 3150 Geary Boulevard Tentative Map]
Motion adopting findings related to the Board of Supervisors disapproval of the decision of the Director of Public Works concerning an 8-unit Tentative Map located at 3150 Geary Boulevard, Lot 028 in Assessor's Block 1066 and disapproval of said Tentative Map.
- 8/16/2007, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?
13. 071082 [Landmark Designation of Richardson Hall, Woods Hall, and Woods Hall Annex. Located at 55 Laguna Street formerly known as the San Francisco State Teacher's College]
Ordinance designating Richardson Hall (a.k.a. Burke Hall), Woods Hall (a.k.a. Anderson Hall), and Woods Hall Annex (a.k.a. Anderson Hall Annex), located at 55 Laguna Street (U.C. Extension Center, formerly known as the San Francisco State Teacher's College), as individual Landmarks under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(City Attorney)
- 7/2/2007, RECEIVED AND ASSIGNED to Board of Supervisors.
7/31/2007, CONTINUED. Continued to August 14, 2007 at 3:00 p.m.
8/14/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
8/14/2007, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

14. 070921 [Amendments to Minimum Compensation Ordinance]
Supervisors Ammiano, Peskin, McGoldrick, Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Sections 12P.2, 12P.3, 12P.4, 12P.5, 12P.6, 12P.7, 12P.8 and, 12P.9 and by adding Sections 12P.5.1, 12P.6.1 and 12P.6.2, to amend the Minimum Compensation Ordinance by making both substantive and clarifying changes with respect to: the obligations imposed on Contractors; notification, investigation, auditing, inspection, enforcement and settlement procedures; the withholding of contract payments; provisions relating to waivers; certain definitions, including the definition of Covered Employees; procedures for automatic increases to the hourly wage rate; the assessment of liquidated damages; and the process for determining whether a Contractor has violated the Ordinance and for the administrative appeal of such determinations.

8/14/2007, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

15. 070680 [Administrative Penalties and Fees for Fare Evasion or Passenger Misconduct Offenses]
Supervisor Peskin
Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

7/31/2007, PASSED ON FIRST READING.

8/7/2007, CONTINUED. Continued to September 11, 2007

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

16. 070829 [Parking Regulations]
Resolution enacting and rescinding parking regulations.

TOW AWAY, NO PARKING ANYTIME ESTABLISH
Raccoon Drive, both sides, between Twin Peaks Boulevard and Crown Court.
(Parking and Traffic Department)

8/7/2007, CONTINUED. Continued to September 11, 2007

Question: Shall this Resolution be **ADOPTED**?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

17. **070590** [Requiring that individuals be provided access to Residential Hotels as visitors of guests and occupants to assist in "get out the vote" activities]
Supervisor Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Section 41D.4, to require that individuals engaged in "get out the vote" activities be provided access to Residential Hotels as visitors of guests and occupants, on the same basis as any other visitor under the Uniform Visitor Policy.
(Supervisor Elsbernd Dissenting in Committee)

8/14/2007, PASSED ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

Called from the City Operations and Neighborhood Services Committee

18. 060589 [Liquor License Transfer, 845 Market Street, Space 010]

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

8/5/2006, CONTINUED. Continued to September 12, 2006

9/12/2006, CONTINUED. Continued to September 19, 2006

9/19/2006, RE-REFERRED to City Operations and Neighborhood Services Committee.

3/20/2007, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Dufty called this measure from City Operations and Neighborhood Services Committee.

3/27/2007, CONTINUED. Continued to April 10, 2007.

4/10/2007, CONTINUED. Continued to April 17, 2007.

4/17/2007, CONTINUED. Continued to June 5, 2007.

6/5/2007, CONTINUED. Continued to July 31, 2007.

7/31/2007, CONTINUED. Continued to August 14, 2007

8/14/2007, CONTINUED. Continued to September 11, 2007

Question: Shall this Resolution be ADOPTED?

Board of Supervisors Sitting as a Committee of the Whole

19. 071269 [Hearing - Medical Cannabis Dispensary Permits]
Hearing of persons interested in or objecting to proposed ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; and (f) clarify the definition of "medical cannabis dispensary."

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

20. 070667 [Medical Cannabis Dispensary Permits]
Supervisor Alioto-Pier
Ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; and (f) clarify the definition of "medical cannabis dispensary."

8/14/2007, CONTINUED AS AMENDED.

8/14/2007, CONTINUED AS AMENDED. Continued to September 11, 2007 with the Board Sitting as a Committee of the Whole

Question: Shall this Ordinance be PASSED ON FIRST READING?

Board of Supervisors Sitting as a Committee of the Whole

21. 061379 [Hearing - Acquisition of Property By Eminent Domain-Islands Creek MUNI Maintenance Facility]

Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islands Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

12/5/2006, CONTINUED. Continued to January 9, 2007 at 3:00 p.m.

1/9/2007, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board. Continued to January 23, 2007

1/23/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board. Continued to February 6, 2007.

2/6/2007, CONTINUED. Continued to September 11, 2007.

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

22. 061377 [To acquire property by Eminent Domain-Islands Creek MUNI Maintenance Facility]
Supervisor Maxwell

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islands Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.
(Fiscal impact.)

11/14/2006, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing the same title.

12/5/2006, CONTINUED. Continued to January 9, 2007 at 3:00 p.m.

1/9/2007, CONTINUED. Continued to January 23, 2007

1/23/2007, CONTINUED. Continued to February 6, 2007.

2/6/2007, CONTINUED. Continued to September 11, 2007.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 3:30 P.M.**

23. **070967** **[Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)
(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

7/24/2007, CONTINUED. The President inquired as to whether any member of public wished to address the Board Members Continued to September 11, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

24. **070968** **[Minor Sidewalk Encroachment Permit Appeal]**
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.
- 7/24/2007, CONTINUED. Continued to September 11, 2007
Question: Shall this Motion be APPROVED?
25. **070969** **[Minor Sidewalk Encroachment Permit Appeal]**
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

7/24/2007, CONTINUED. Continued to September 11, 2007
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

26. 070800

[Public Hearing - Appeal of Categorical Exemption from Environmental Review - Citywide Wireless Broadband Internet Access Network Ordinance]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 20, 2007, Case No. 2007.0097E, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301(b), 15303(d), & 15303(e); Class Numbers 1 and 3], the proposed project is an ordinance proposed by the Mayor (Board File No. 070077) that would approve one or more agreements (hereafter "the Agreement") between EarthLink, Inc. and the City and County of San Francisco. The Agreement would permit EarthLink to manage, operate, and install within the City rights-of-way a citywide wireless broadband internet access network that would provide free or affordable internet access for San Francisco residents, workers, and visitors. The project would involve installation within the City rights-of-way of a communications system consisting of two types of above-ground equipment: transmitters and backhaul devices. The Agreement does not specify proposed locations for the communications equipment, and EarthLink has not yet selected such locations. (Appellant: Jeff Hoffman, on behalf of the San Francisco Neighborhood Antenna Free Union (SNAFU).)

(Filed May 30, 2007; companion measure to Files 070801, 070802, 070803.)

7/10/2007, CONTINUED. Continued to July 24, 2007

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

There were none.

Continued to July 31, 2007

7/31/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to September 11, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

27. 070801 **[Affirming the categorical exemption issued for the Citywide Wireless Broadband Internet Access Network Ordinance]**
Motion affirming the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is categorically exempt from environmental review under the California Environmental Quality Act.
- 7/10/2007, CONTINUED. Continued to July 24, 2007
7/24/2007, CONTINUED. Continued to July 31, 2007
7/31/2007, CONTINUED. Continued to September 11, 2007
Question: Shall this Motion be APPROVED?
28. 070802 **[Disapproving the categorical exemption issued for the Citywide Wireless Broadband Internet Access Network Ordinance]**
Motion disapproving the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is categorically exempt from environmental review under the California Environmental Quality Act.
- 7/10/2007, CONTINUED. Continued to July 24, 2007
7/24/2007, CONTINUED. Continued to July 31, 2007
7/31/2007, CONTINUED. Continued to September 11, 2007
Question: Shall this Motion be APPROVED?
29. 070803 **[Preparation of findings related to the appeal of the categorical exemption for the Citywide Wireless Broadband Internet Access Network Ordinance]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is exempt from environmental review under the California Environmental Quality Act.
- 7/10/2007, CONTINUED. Continued to July 24, 2007
7/24/2007, CONTINUED. Continued to July 31, 2007
7/31/2007, CONTINUED. Continued to September 11, 2007
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

30. 071070 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 317 Cortland Avenue]
- Hearing of persons interested in or objecting to the decision of the Planning Department dated June 21, 2007, Case No. 2006.0056E, exempting from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Sections 15301(l)(4) and Categorical Exemption Class 3 (State CEQA Guidelines Sections 15303(b) and 15303(c)). The project would demolish the existing two-car parking structure and construct a 35-foot-tall, 3,820-square foot, three-story mixed-use building with two dwelling units over approximately 1,590-square-feet of commercial space open to Cortland Avenue and with the 130-square foot walk-up access to the residential floors above. The two dwelling units would each be about 1,115 square feet. Each unit would have access to private usable open space on either a rear deck, balcony or a courtyard. The subject property (Assessor Block 5667, Lot 014) is within an NC-2 (Small Scale Neighborhood Commercial) Use District and a 40-X Height and Bulk District. (Appellants: Gordon Thrupp, Robin Mackey, Suzanne Landucci, Donna Roberts, Caroline Peel and Bloum Cardenas.)
- (Filed July 18, 2007; companion measure to 071071, 071072, 071073; District 9.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

31. 071071 [Affirming the categorical exemption issued for the 317 Cortland Street Project]
- Motion affirming the determination by the Planning Department that the 317 Cortland Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
- Question: Shall this Motion be APPROVED?
32. 071072 [Disapproving the categorical exemption issued for the 317 Cortland Street Project]
- Motion disapproving the determination by the Planning Department that the 317 Cortland Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
- Question: Shall this Motion be APPROVED?
33. 071073 [Preparation of findings related to the 317 Cortland Street Project]
- Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 317 Cortland Street is exempt from environmental review under the California Environmental Quality Act.
- Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

34. 071031 [Public Hearing - Conditional Use Appeal for 4041 Geary Boulevard]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17448 dated June 14, 2007, approving Conditional Use Application No. 2007.0286C, subject to certain conditions, to allow the establishment of a Formula Retail Use (dba Starbucks, retail coffee store), with approximately 750 square feet in floor area in a vacant commercial space located in a recently approved auto service and repair shop (dba "Service Center for San Francisco Toyota"), a one-story commercial building. The project site is located in an NC-3 (Moderate Scale) Neighborhood Commercial District and a 40-X Height and Bulk District on property located at 4041 Geary Boulevard, Lot 050 on Assessor's Block 1540. (Appellant: Jesse Fink, Clement Street Merchant Association.)
(Filed 7/11/07; companion measure to Files 071032, 071033, 071034; District 1.)

8/7/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to September 11, 2007 at 4:30 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

35. 071032 [Approving Planning Commission decision related to Conditional Use Appeal for 4041 Geary Boulevard]
Motion approving decision of the Planning Commission by its Motion No. 17448, approving Conditional Use Application No. 2007.0286C on a property located at 4041 Geary Boulevard, and adopting findings pursuant to Planning Code Section 101.1.

8/7/2007, CONTINUED. Continued to September 11, 2007 at 4:30 p.m.
Question: Shall this Motion be APPROVED?
36. 071033 [Disapproving Planning Commission decision related to Conditional Use Appeal for 4041 Geary Boulevard]
Motion disapproving decision of the Planning Commission by its Motion No. 17448, approving Conditional Use Application No. 2007.0286C on a property located at 4041 Geary Boulevard, and adopting findings pursuant to Planning Code Section 101.1.

8/7/2007, CONTINUED. Continued to September 11, 2007 at 4:30 p.m.

Question: Shall this Motion be APPROVED?

37. 071034 [Preparation of findings related to the Conditional Use Appeal for 4041 Geary Boulevard]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2007.0286C on a property located at 4041 Geary Boulevard, for action by the Board at its next meeting.

8/7/2007, CONTINUED Continued to September 11, 2007 at 4:30 p.m.

Question: Shall this Motion be APPROVED?

38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee.

Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

40. 071213 [Legislative Analyst Request - Office of Special Events]
Supervisor Duffy

Motion requesting the Legislative Analyst to conduct research into the need for and feasibility of a dedicated and separately funded Office of Special Events in San Francisco. Specifically, whether the activities currently engaged in by such City departments as the Entertainment Commission, Office of Protocol, Mayor's Special Events Staff, San Francisco Police Department, Recreation and Parks Department, Port of San Francisco, and others might be effectively consolidated into and/or overseen by an office comparable to the Special Events Offices in Chicago, Boston, New York City, Houston, and others.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 40 through 43

41. 071198 [Grant to support Laguna Honda Hospital's Activity Therapy Department]
Supervisor Maxwell
Resolution authorizing the San Francisco Department of Public Health (DPH), Laguna Honda Hospital (LHH) to retroactively accept and expend a grant for \$35,000, from the James Irvine Foundation, the Walter and Elise Haas Fund, and the Flora Hewlett Foundation, through the Creative Work Fund, and to enter into a subcontract with artist Helena Keffe; for the period of September 1, 2007 through August 31, 2008.
- 8/14/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
42. 071199 [Grant of State Funds - Municipal Transportation Agency]
Supervisor Maxwell
Resolution authorizing the Municipal Transportation Agency to accept and expend \$217,970 in State grant funds from the California Air Resources Board for the purchase of low-polluting construction equipment.
- 8/14/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 071232 [Seeking a permanent halt to the Blue Angels air show over San Francisco]
Supervisor Daly
Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.
- 8/14/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

44. IMPERATIVE AGENDA

Resolutions(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 7, 2007 through August 31, 2007, for reference by President to appropriate committee on September 11, 2007.

071233 [Penalty for Removing Chalk Marks]

Ordinance amending San Francisco Traffic Code Sections 21 and 132 to impose a penalty for removing chalk marks of one hundred (\$100) dollars for any violation and to make minor changes to clarify the parking restriction.
(Municipal Transportation Agency)

8/20/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071237 [Settlement of Lawsuit - Pacific Bell Telephone Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$94,000.00; the lawsuit was filed on October 25, 2006 in San Francisco County Superior Court, Case No. 457-327; entitled Pacific Bell Telephone Company v. City and County of San Francisco.
(City Attorney)

8/14/2007, RECEIVED AND ASSIGNED to Rules Committee.

071238 [Settlement of Lawsuit - Jane Martin, et al. (Order Sons of Italy) v. CCSF]

Ordinance authorizing settlement of the portion of the lawsuit filed by Order Sons of Italy in America Grand Lodge of the Golden West Corporation against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

8/14/2007, RECEIVED AND ASSIGNED to Rules Committee.

071239 [San Francisco Traffic Code Revisions]

Ordinance repealing San Francisco Traffic Code Sections 3.1, 3.4, 3.5, 3.7, 3.14, 3.14.1, 7, 109, and 200, in their entirety, to eliminate definitions that conflict with or duplicate state law, and amending Section 3.16 to substitute the "Municipal Transportation Agency" for the "Department of Public Works."
(Municipal Transportation Agency)

8/14/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071246 [Settlement of Lawsuit - Theodore Tarver, Jr. (Kathryn Cox) v. CCSF]

Ordinance authorizing settlement of an award of attorney's fees to attorney Kathryn Cox for \$162,941 against the City and County of San Francisco; the underlying lawsuit was filed on July 19, 2002 in San Francisco Superior Court, Case No. 410499 entitled Theodore Tarver, Jr. v. City and County of San Francisco.
(City Attorney)

8/27/2007, RECEIVED AND ASSIGNED to Rules Committee.

071252 [Settlement of City's Lawsuit Against Aquila, Inc. and Aquila Merchant Services, Inc.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Semptra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Semptra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides \$1,500,000 from defendants Aquila, Inc. and Aquila Merchant Services, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants.
(City Attorney)

8/29/2007, RECEIVED AND ASSIGNED to Rules Committee.

071253 [Settlement of City's Lawsuit Against Enserco Energy, Inc.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Semptra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Semptra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides \$750,000 from defendant Enserco Energy, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants.
(City Attorney)

8/29/2007, RECEIVED AND ASSIGNED to Rules Committee.

- 071256 [Settlement of City Claim Against PG&E]
Ordinance approving the settlement of a claim asserted by the City and County of San Francisco against Pacific Gas & Electric Company in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM.
(City Attorney)

8/31/2007, RECEIVED AND ASSIGNED to Rules Committee

- 071257 [San Francisco Fire Code]
Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2007 San Francisco Fire Code consisting of the 2007 California Fire Code and portions of the 2006 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings.
(Fire Department)

8/31/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/1/2007.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 7, 2007 through August 31, 2007, for reference by President to appropriate committee on September 11, 2007.

- 071197 [Department of Public Works - Bayview Transportation Improvement Project Fiscal Feasibility]
Resolution adopting findings that the Bayview Transportation Improvement Project is fiscally feasible and responsible under Administrative Code Chapter 29.
(Public Works Department)

8/10/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071234 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

25th Street and Minnesota Street, stopping Minnesota Street, making this uncontrolled intersection a two-way STOP;

Hampshire at 17th Street, stopping Hampshire Street, the stem of this T-intersection;

Cesar Chavez Street at Castro Street, stopping Cesar Chavez Street, making this uncontrolled intersection a two-way STOP;

Edna Street at Joost Avenue, stopping Edna Street, the stem of this T-intersection;

Ankeny Street and Ordway Way, stopping Ankeny Street, making this intersection an All-Way STOP;
and,

Hudson Avenue at Cashmere Street, stopping Hudson Avenue, making this intersection an All-Way STOP.

(Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

8/13/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071235 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Masonic Avenue, northbound and southbound, at Turk Street (extending turn restriction time from 6 PM to 7 PM).

NO LEFT TURN - ESTABLISH

13th Street at Harrison Street, eastbound

(Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

8/13/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071236 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

10th Street, west side, between Bryant Street and Division Street.

PARKING METER AREA NO. 2 (1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND

PARKING METER AREA NO. 2 (2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

11th Street, both sides, between Market and Mission Streets

PARKING METERS (AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Clay Street, south side, from 106 feet west of Webster Street to 73 feet east of Fillmore Street.

ANGLE (45-DEGREE) PARKING - RESCIND

20th Avenue, east side, from Ortega Street to 144 feet southerly

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH

Colin P. Kelly Jr. Street, east side, between Brannan Street and Townsend Street, adding 2 Townsend Street to Residential Permit Parking Area Y.

2 HOUR SIGNED PARKING TIME LIMIT - RESCIND

PARKING METERS (AREA 1, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Brannan and Townsend Streets, between 2nd Street and Colin P. Kelly Jr. Street.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Leavenworth Street, west side, between Lombard Street and Greenwich Street

Lombard Street, south side, between Leavenworth and Jones Streets

PARKING METER AREA NO. 2 (1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Stevenson Street, north side, from 7th Street to western terminus

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

7th Street, west side, from Stevenson Street to 62 feet southerly

7th Street, west side, from 128 feet south of Stevenson to Mission Street (248-foot zone)

Mission Street, north side, from 308 feet west of 7th Street to 38 feet westerly

PASSENGER LOADING ZONE, 6 AM TO 7 PM, MONDAY THROUGH FRIDAY, TOW-AWAY NO STOPPING ALL OTHER TIMES -- ESTABLISH

7th Street, west side, from 62 feet south of Stevenson to 128 feet southerly (66-foot zone)

YELLOW LOADING ZONE, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY, TOW-AWAY NO STOPPING ALL OTHER TIMES -- ESTABLISH

Mission Street, north side, from 111 feet west of 7th Street to 197 feet westerly (4 meters) (Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

8/13/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 071245** [Authorizing the Office of Contract Administration to amend its contract with En Pointe to exceed \$31 million and its contract with Xtech to exceed \$37 million]
Resolution authorizing the Office of Contract Administration to enter into the Sixth Amendment between the City and En Pointe (part of the Computer Store procurement vehicles), to increase the contract amount to \$35 million, and to enter into the Eighth Amendment between the City and Xtech (also part of the Computer Store procurement vehicle), to increase the contract amount to \$51 million. (Office of Contract Administration)

8/23/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071244** [Endorsing tree for landmark tree status at 4124 - 23rd Street]
Resolution endorsing landmark tree designation of the coast live oak (*Quercus agrifolia*) located at 4124 - 23rd Street. (Environment)

8/29/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 071255** [Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703 for fiscal year 2006-2007 and thereafter]
Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703 for fiscal year ending June 30, 2007 and thereafter. (Controller)

8/30/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071262** [Study of HIV transmission behavior in HIV-positive men]
Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of \$37,906 with the University of California, San Francisco (UCSF), the primary contractor, to participate in a study to examine decisions to have high transmission-risk sex; study the efficacy of a prevention counseling intervention; and determine whether future episodes of unprotected sex are reduced, for the period of September 1, 2006 to August 31, 2007. (Public Health Department)

8/31/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071259 [Petitions and Communications]

Petitions and Communications received from August 7, 2007 through August 31, 2007 for reference by the President to September 11, 2007. (Items 1 – 60)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for: (1)

² Angela Calvillo, Clerk of the Board

² Alice Guidry, Legislative Assistant to Supervisor Sophie Maxwell

² Connie Chan, Legislative Assistant to Supervisor Sophie Maxwell

² Bree Mawhorter, Legislative Assistant to Michela Alioto-Pier

² Calvin Abe, Assessment Appeals Board Member

From Office of the Controller, regarding status on examining the shortfall in budgeting for the MCO (Minimum Compensation Ordinance) and formulation of an action plan going forward that would address the necessary but unaccounted for CPI increase assumed in the latest draft of the MCO legislation. (Reference 20070724-001) Copy: Supervisor Ammiano (2)

From Public Utilities Commission, regarding status on removing graffiti at various locations in District 5. (Reference 20070731-003) Copy: Supervisor Mirkarimi (3)

From Department of Public Works, regarding status on removing graffiti from public property at the Southeast corner of Cole and Frederick and the Northeast corner of Hayes and Broderick (Emergency Boxes). (Reference 20070612-008) Copy: Supervisor Mirkarimi (4)

From Department of Public Works, regarding status on removing graffiti from public property at the Southwest corner of Hayes and Cole and the Southwest corner of Broderick and McAllister (Phone Switch Boxes). (Reference 20070612-008) Copy: Supervisor Mirkarimi (5)

From various City departments, certifying that the funding provided in the budget for fiscal year 2007-08 is adequate for the department to meet service levels as proposed to the Board of Supervisors: (6)

Academy of Sciences

Arts Commission

Asian Art Museum

Economic and Workforce Development

Ethics Commission

Civil Service Commission

Clerk of the Board of Supervisors

Department of Building Inspection

Department of Child Support Services

Department of Children, Youth and Their Families

Department of Emergency Management

Department of Human Resources

Department of Telecommunications & Information Services

Department of the Environment

Department of Public Health

Department of Public Works

Fine Arts Museums of San Francisco / de Young / Legion of Honor

Fire Department

First 5 Children and Families Commission

Health Service System

Human Rights Commission

Human Services Agency

Juvenile Probation Department

Law Library

Mayor's Office of Housing

Municipal Transportation Agency

Office of Citizens Complaints

Office of the City Administrator
Office of the City Attorney
Office of the Controller
Office of the District Attorney
Office of the Mayor
Office of the Public Defender
Office of the Sheriff
Office of the Treasurer and Tax Collector
Planning Department
Police Department
Port of San Francisco
Public Library
Public Utilities Commission
Recreation and Park Department
Residential Rent Stabilization and Arbitration Board
San Francisco International Airport
SFCC Employees' Retirement System/Office of the Executive Director
Taxi Commission
War Memorial and Performing Arts Center

From concerned citizens, submitting support for the proposed permanent halt to the annual Blue Angels air show over the City of San Francisco. File 070931, Copy: Each Supervisor, 21 letters (7)

From Port of San Francisco, regarding the Trans Bay Cable project. File 070315, Copy: Supervisor Alioto-Pier (8)

From concerned citizens, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 10 letters (9)

From concerned citizens, urging the Board to vote against the mitigated negative declaration appeal for 3400 Cesar Chavez. File 070708, 3 letters (10)

From concerned citizens, submitting opposition to building a new Starbucks at 4041 Geary Boulevard. File 071071, 4 letters (11)

From concerned citizens, submitting support for the Davies Neuroscience Project at the Davies Medical Center Campus located at 601 Duboce Avenue. File 071024, Copy: Each Supervisor, 9 letters (12)

From Coblenz, Patch, Duffy & Bass LLP, regarding the conditional use appeal for 601 Duboce Avenue. File 071024 / 070905, Copy: Each Supervisor (13)

From Redevelopment Agency, submitting report on certain sales subject to California Health and Safety Code, Section 33433. (14)

From concerned citizens, commenting on the Pelli architectural design for the Transbay terminal. (15)

From Department of Aging and Adult Services Commission, submitting 6-month report, January through June 2007 for the Community Living Fund. (16)

From Weinberg, Roger & Rosefeld, submitting copy of letter regarding review of air quality treatment in environmental documents for the proposed Noe Street office building expansion mitigated negative declaration. (17)

From John Kao, regarding the tentative map appeal for 3150 Geary Boulevard. File 070985, Copy: Each Supervisor (18)

From Gloria Love, commenting on various concerns regarding Supervisor Jew. (19)

From Norm Wheatley, commenting on skyscrapers being built in San Francisco. (20)

From Dr. Ahimsa Porter Sumchai, submitting candidate statement. (21)

From concerned citizens, submitting opposition to the proposed creation of a Golf Course Task Force. File 070961, 071128, 071057, 2 letters (22)

From Department of Public Works, regarding status removing graffiti from Tower Valet Parking's banner signs located at the Northwest and Southwest corners of Gough and Grove Streets. (Reference 20070731-004) Copy: Supervisor Mirkarimi (23)

From Department of Public Works, regarding status removing graffiti from light switch boxes and phone switch boxes on public property in various locations in District 5. (Reference 20070717-003) Copy: Supervisor Mirkarimi (24)

From Department of Elections, regarding alternative transportation and security plan for November 6, 2007 election. (25)

From Department of Elections, regarding waiver allowing City employees to assist the Department of Elections with the November 6, 2007 Municipal Election. 2 letters (26)

From Southeast Community Facility Commission, regarding submission of annual State of Purpose and annual report for fiscal year 2006/07. (27)

From Deborah Kearns, submitting support for the proposed ban on the annual Blue Angels air show over the City of San Francisco. File 070931 (28)

From concerned citizens, commenting on the proposed resolution condemning radio talk show host Michael Savage. File 071185, Copy: Each Supervisor, Over 200 letters (29)

From Francisco Da Costa, commenting on the Aloha festival held August 2007. (30)

From Francisco Da Costa, commenting on Parcel A at Bay View Hunters Point Naval Shipyard. 7 letters (31)

From Mitchell Laurio, commenting on the need for a skatepark in San Francisco. Copy: Each Supervisor (32)

From Didi Boring, commenting on the proposed creation of bike lanes on outer Broadway near schools. Copy: Supervisor Alioto-Pier (33)

From Patrick J. Flanagan IV, commenting on a group called "Youth With a Mission (YWAM). Copy: Supervisor Daly (34)

From concerned citizens, commenting on the 55 Laguna Street University of California extension landmark designation. File 071028, 2 letters (35)

From J.D. Keser, submitting opposition to the extension permit of the Panhandle band shell. Copy: Each Supervisor (36)

From Ralph P. Mango, commenting on the naming of Bill Walsh field. Copy: Each Supervisor (37)

From Joe O'Reilly, commenting on a 1942 message from President Franklin D. Roosevelt. (38)

From concerned citizen, commenting on the Western Addition housing projects. Copy: Supervisor Daly (39)

From Paul Klees, submitting copy of letter to Mayor Newson regarding General Assistance. (40)

From Ted Strawser, commenting on the Mayor canceling Halloween. (41)

From Kimo Crossman, commenting on Sunshine lawsuit against San Francisco Public Library. (42)

From concerned citizens, commenting on the proposal to subsidize fees for those applying for citizenship. (43)

From Animal and Care Control, submitting request for waiver of Administrative Code 12B and 14B for Idexx Distribution Corp. (44)

From Sierra Club, submitting support for the proposed creation of a Golf Course Task Force. (45)

From Department of Public Works, regarding status on removing graffiti from light switch boxes and phone switch boxes at various locations in District 5. (Reference 20070717-003) Copy: Supervisor Mirkarimi (46)

From Department of Public Works, regarding status on removing graffiti from mailboxes at various locations in District 5. (Reference 20070313-004) (47)

From Department of Public Works, regarding status on removing graffiti from the Clear Channel Billboards at various locations in District 5. (Reference 20070313-009) Copy: Supervisor Mirkarimi (48)

From Department of Public Works, regarding status on removing graffiti from mailboxes and garbage cans at various locations in District 5. (Reference 20070731-006) Copy: Supervisor Mirkarimi (49)

From Department of Public Works, regarding status on removing graffiti from mailboxes at various locations in District 5. (Reference 20070717-005) Copy: Supervisor Mirkarimi (50)

From Department of Public Works, regarding status on removing graffiti at 1056 Divisadero and 1750 Divisadero (1750C Wells Fargo Signage). (Reference 20070717-007) Copy: Supervisor Mirkarimi (51)

From Police Department, regarding status on request for information regarding homicides in the Tenderloin; aggravated assaults in the Tenderloin; vandalism in the Tenderloin; robberies in the Tenderloin; and drug and narcotic arrests in the Tenderloin. (Reference 20070710-003) Copy: Supervisor Daly (52)

From Public Utilities Commission, reporting on status of inquiry regarding the PUC's per unit cost of water to San Francisco. (Reference 20070522-002) Copy: Supervisor Alioto-Pier (53)

From Office of the Treasurer, submitting portfolio statistics from July 1, 2007 to July 31, 2007. (54)

From Francisco Da Costa, submitting copy of letter addressed to Governor Schwarzenegger regarding radioactive and toxic contaminates located at the Hunters Point Naval Shipyard. (55)

From California Department of Social Services, submitting copy of letter written to the Department of Human Services. (56)

From Francisco Da Costa, commenting on Lennar Corporation. 6 letters (57)

From concerned citizens, commenting on the CEQA appeal for 445 Wawona Street. File 071037, Copy: Each Supervisor, 3 letters (58)

From Captain Susan L. Muza, submitting copy of email to constituent regarding Parcel A related issues on Hunters Point Naval Shipyard. (59)

From concerned citizens, commenting on the proposed permanent halt to the Blue Angels air show in San Francisco. File 070931, Copy: Each Supervisor, 29 letters (60)

071260 [Petitions and Communications, Part 2]

Petitions and Communications received from August 7, 2007 through August 31, 2007 for reference by the President to September 11, 2007. (Items 61 – 120)

From Michael J. Benardo, commenting on improving Muni's on-time performance. Copy: Municipal Railway (61)

From concerned citizens, commenting on the commendation of President Hugo Chavez by the Board of Supervisors. Copy: Each Supervisor, 15 letters (62)

From Small Business Commission, regarding 2007 San Francisco Fleet Week. Copy: Each Supervisor (63)

From Library Citizens Advisory Committee, submitting annual report for July 2007. (64)

From George A. Caarazo, commenting on San Francisco's golf courses. File 070961, Copy: Each Supervisor (65)

From Duboce Triangle Neighborhood Association, commenting on the landmark appeal for 55 Laguna Street. File 071028 (66)

From Christian Holmer, regarding immediate disclosure request from various City Departments. 8 letters (67)

From Deputy City Attorney, responding to immediate disclosure request. (68)

From T Mobile, submitting notification letter to the California Public Utilities Commission regarding the cellular base site at San Francisco State. (69)

From Recreation and Park Department, regarding status on removing graffiti from various locations in District 5. (Reference 20070724-012) Copy: Supervisor Mirkarimi (70)

From Office of the Mayor, pursuant to Charter Section 4.112, on August 10, 2007, the Clerk's Office has received the Mayor's Notice of Appointment, and the appointee's qualifications of Mr. David Hochschild to the Public Utilities Commission for a four-year term. Copy: Each Supervisor (71)

From Department of Elections, regarding deadline for disclaimer requirements for local ballot measures: endorse, oppose or take no position on a measure. (72)

From KGO AM Radio, Inc., thanking the Board for the honor bestowed on the memory of the late Pete Wilson. Copy: Each Supervisor (73)

From Department of Elections, pursuant to Charter section 13.104.5. submitting the alternative transportation and security plan for the upcoming November election. Copy: Supervisor Peskin (74)

From Building Inspection Commission, submitting notice that the appeal of the Director's determination to grant an extension to file for an extension has been rescheduled for September 19, 2007. (75)

From Terry Roller, commenting on the HANC Recycling Center located in the Richmond district. 2 letters (76)

From San Francisco Housing Authority, providing status update to the Supervisor's office and the tenants of Plaza East Apartments on the installation of gates on Larch Way; the installation of gates on individual units; the removal of the lease clause that penalizes tenants for placing bars on their windows; the installation of lights on gates located in the rear area near the trash door and the

installation of a secure door at that location; the release of shooting/criminal activity footage from security cameras; and increased security personnel at the property. (Reference 20070724-013) Copy: Supervisor Mirkarimi (77)

From concerned citizens, urging the Board to support the Planning Commission's decision regarding the Conditional Use Appeal for 4041 Geary Boulevard. File 071031, Copy: Each Supervisor, Over 50 letters (78)

From concerned citizens, submitting support for the Conditional Use Appeal for 601 Duboce Avenue. File 071024, Copy: Each Supervisor, approx. 20 post cards received (79)

From S.F. Unified School District, submitting response to the 2006-07 Grand Jury Report entitled "Can San Francisco Keep Its Promise to Reduce Greenhouse Gas Emissions?" (80)

From Francisco Da Costa, regarding the high count of pollution and the adverse impact in Hunters Point; fire at the Hunters Point Naval Shipyard; at the S.F. Grand Jury Report and the current mess on Parcel A; The Nation of Islam. (81)

From Department of Public Health, submitting a complete set of the 2007 Title XV evaluation reports for each of the San Francisco detention facilities, as required by section 459 of the California Health and Safety Code. (82)

From John Kasper, commenting on article written by Professor Walter Williams regarding liberal views on black victims. (83)

From Monique Zmuda, requesting a one-month extension to the deadline of September 15, 2007 to present an analysis regarding a separately funded Office of Special Events in San Francisco. (Reference No. 20070814-009) Copy: Supervisor Duffy (84)

From Rochelle Satter, urging the Board to have a stop light installed at Lake Merced Boulevard and John Muir Drive. Copy: Each Supervisor (85)

From Joe, urging the Board to do something about the bicyclist on the sidewalks that either come close to hitting pedestrians or hitting pedestrians. Copy: Each Supervisor (86)

From Rita Sohlich, regarding the alarming increase in crime, graffiti, homelessness and issues of public safety in the South Beach neighborhood. (87)

From Arts Commission, submitting annual financial reports for fiscal year 2006-07 pursuant to Charter Section 4.103 and Sunshine Ordinance 67.24(e). (88)

From concerned citizens, commenting on the proposed designation of 194 Church Street as a landmark. File 071126, Copy: Each Supervisor, 36 petitions/letters (89)

From concerned citizens, commenting on illegal immigration. 6 letters (90)

From Civil Service Commission, submitting notice of Civil Service Commission action regarding survey of monthly rates paid to police officers and firefighters in all cities of 350,000 or more in the State of California (91)

From American Bach Soloists, submitting thanks to the Board for their continued support of Grants for the Arts/Hotel Tax Fund. Copy: Each Supervisor (92)

From Shannon Seaberg, commenting on the discontinuance of the camera surveillance pilot programs throughout the City. Copy: Each Supervisor (93)

From Rana Jackman, commenting that there should be a park named in tribute to Marna Cass who personifies the spirit, tempo and tolerance that San Francisco has come to be. Copy: Each Supervisor (94)

From Michael Sierra, commenting on home improvements for earthquake preparedness resulting in increased yearly property taxes. Supervisor Duffy (95)

From Francisco Da Costa, commenting on Lennar BVHP LLC and the Environmental Protection Agency. (96)

From Jeff Fleckenstein, commenting on Supervisor Ed Jew. (97)

From Green Guerillas Against Greenwash, regarding the Green Guerillas' response to the Civil Grand Jury report, "Can San Francisco keep its promise to reduce greenhouse gas emissions?" (98)

From concerned citizen, commenting on gun control initiatives. (99)

From Sandy Kappelmann, submitting copy of letter written to the Department of Parking and Traffic regarding erroneous parking violation citations received on her vehicle. (100)

From Linda Post, submitting a note of thanks to the Board and staff for their hard work. (101)

From concerned citizen, commenting on Supervisor Daly. Copy: Supervisor Daly (102)

From Supervisor Alioto-Pier, submitting copies of letter distributed to all Board members asking each Supervisor to comment on Supervisor Alioto-Pier's code of conduct legislation. (103)

From Javon-Demetrius D. Cogmon, submitting copy of open letter to school board president of San Francisco. (104)

From Barbara Tombaugh, commenting on traffic congestion during the "Battle of the Bay" games held in Monster Park. (105)

From Howard Johnston, commenting on MUNI service issues. (106)

From Barry Leonardini, commenting on various City issues. Copy: Supervisor Alioto-Pier (107)

From Skip Gould, commenting on the naming of Bill Walsh Field at Monster Park. File 071204. Copy: Each Supervisor (108)

From Michael Regain, commenting on the proposed plan to convert Doyle Drive into a toll road. (109)

From John Kasper, submitting opposition to the proposed park, recreation and open space general obligation bonds. File 071229, Copy: Each Supervisor (110)

From Phoebe Williams, submitting copy of letter received from Speaker of the House Nancy Pelosi regarding housing matters. (111)

From Department of Elections, submitting copy of letter regarding certification for adopting a policy calling for the acquisition of Alcatraz Island and the conversion of the island into a global peace center. (112)

From James Chaffee, commenting on the San Francisco Public Library. (113)

From Dr. Ahimsa Porter Sunchai, commenting on filed mayoral candidates rights' to peaceful assembly (114)

From Dr. Ahimsa Porter Sunchai, commenting on the SFUSD facing liability for children exposed to toxic dust. (115)

From Robin Jacobson, urging the Board to introduce a measure banning cigarette smoking from cars where children under the age of 18 are riding. (116)

From Howard Johnston, commenting on the Nation of Islam school located in Bayview Hunters Point. Copy: Supervisor Maxwell (117)

From Jonathan Romano, commenting on the Bay Bridge closure during the Labor Day weekend. (118)

From Patty Riek, urging the Board to ban smoking at the Alemany Farmers' Market. Copy: Each Supervisor (119)

From Richard Forst, commenting on an article published in the SF Chronicle regarding a rent increase for the Java House Café at Pier 40 imposed by the City. Copy: Each Supervisor, 2 letters (120)

071261 [Petitions and Communications, Part 3]

Petitions and Communications received from August 7, 2007 through August 31, 2007 for reference by the President to September 11, 2007. (Items 121 – 147)

From Erik M. Schneider PhD, commenting on increased police enforcement of non-violent, victimless crimes in the Mission district. Copy Each Supervisor (121)

From Dr. Ahimsa Porter Sumchai, commenting on the Department of Public Health issuing a 4th Notice of Violation to Lennar BVHP LLC. (122)

From Irja Tannlund, commenting on the increase in homeless individuals sleeping on Sumner Street located in the SoMa district. Copy: Each Supervisor (123)

From concerned citizen, commenting on an article published in the SF Chronicle regarding the increase in pedestrian fatalities in 2007. Copy: Each Supervisor (124)

From Dr. Ahimsa Porter Sumchai, regarding mayoral campaign contributions. (125)

From Patrick Morris, commenting on excessive noise from chopper-style motorcycles in the Inner Sunset district. (126)

From Francisco Da Costa, commenting on Oakdale Public Housing. (127)

From Francisco Da Costa, commenting on Lennar Corporation and the Bayview Hunters Point Naval Shipyard. 8 letters (128)

From concerned citizen, regarding various issues. (129)

From Shannon L. Guerrero, commenting on the commercialization of the Golden Gate. Copy: Each Supervisor (130)

From Department of Public Health, submitting request for waiver of Administrative Code 14B for ARUP Laboratories, Inc. (131)

From Jody A. Gorran, submitting proposed legislation on climate change (Hybrid Swimming Pool Heating Act). Copy: Each Supervisor (132)

From James Chaffee, commenting on the Library Commission. (133)

From Christian Holmer, regarding an immediate disclosure request from the District Attorney. 2 letters (134)

From Christian Holmer, regarding an immediate disclosure request from the District Attorney regarding the Blue Angels. 5 letters (135)

From Bay Area Quality Management District, submitting the Bay Area Quality Management District's 2006 Annual Report. (136)

From Office of the Controller, regarding status on research into the need for, feasibility of, and fiscal impact of a dedicated and separately funded Office of Special Events in San Francisco. (Reference 20070814-009) Copy: Supervisor Duffy (137)

From Municipal Transportation Agency, submitting copy of letter to constituent regarding vehicle citations. (138)

From Election Commission, regarding the permanent appointment of Hans A. von Spakovsky to the Federal Elections Commission. Copy: Board of Supervisors (139)

From Marty Cepkavkas, commenting on the potential long term health concerns caused by WiFi electromagnetic fields File 070077, Copy: Each Supervisor (140)

From John Polanskek, commenting on free speech. Copy: Each Supervisor (141)

From Kevin Montreuil, commenting on a recent homicide at United Nations Plaza. Copy: Supervisor Daly (142)

From James Chaffee, commenting on Proposition D, the Replacement of the Library Preservation Fund. (143)

From Christian Holmer, regarding an immediate disclosure request from various City departments. 2 letters (144)

From Designing Accessible Communities, commenting on an article published in the SF Chronicle regarding a new bus system. (145)

From Department of Elections, regarding purchase and use of uncertified ES&S AutoMARK machines. Copy: Each Supervisor (146)

From concerned citizens, commenting on San Francisco's golf courses. Copy: Each Supervisor, 2 letters (147)

APPOINTMENTS BY THE MAYOR

Sunshine Ordinance Taskforce
Harrison Sheppard
Conrad MacKerron

Relocation Appeals Board
Essie Webb
Carlos Borromeo
Albert Seto
Steven Lee
Harry Kim

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 18, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

DOCUMENTS DEPT.

SEP 14 2007

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition 1 in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell

1. 071134 [Accept-Expend Grant - Public Defender]
Supervisor Maxwell

Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$70,000 from the Zellerbach Family Foundation for a court alternative specialist position dedicated to working with the children of incarcerated parents (CIP).

9/11/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Board**2. 070667 [Medical Cannabis Dispensary Permits]****Supervisor Alioto-Pier**

Ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; (f) clarify the definition of "medical cannabis dispensary; and (g) adopting General Plan, Planning Code Section 101.1(b) and environmental findings."

8/14/2007, CONTINUED AS AMENDED.

8/14/2007, CONTINUED AS AMENDED. Continued to September 11, 2007 with the Board Sitting as a Committee of the Whole

9/11/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

9/11/2007, CONTINUED AS AMENDED. Continued to September 18, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

Called from the City Operations and Neighborhood Services Committee

3. 060589 [Liquor License Transfer, 845 Market Street, Space 010]
Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

8/15/2006, CONTINUED. Continued to September 12, 2006

9/12/2006, CONTINUED. Continued to September 19, 2006

9/19/2006, RE-REFERRED to City Operations and Neighborhood Services Committee.

3/20/2007, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Duffy called this measure from City Operations and Neighborhood Services Committee.

3/27/2007, CONTINUED. Continued to April 10, 2007.

4/10/2007, CONTINUED. Continued to April 17, 2007.

4/17/2007, CONTINUED. Continued to June 5, 2007.

6/5/2007, CONTINUED. Continued to July 31, 2007.

7/31/2007, CONTINUED. Continued to August 14, 2007

8/14/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to September 18, 2007

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

4. 071085 [Appropriating \$5,647,000 for increased costs at San Francisco General and Laguna Honda Hospitals in the Department of Public Health retroactive to Fiscal Year 2006-2007]
Mayor
Ordinance appropriating \$5,647,000, including \$4,591,000 of Patient Revenue to support increased overtime, fringes and services of other departments at San Francisco General Hospital and \$1,056,000 of MediCal revenues at Laguna Honda hospital to support salary and fringes at Laguna Honda Hospital for the Department of Public Health retroactive to Fiscal Year 2006-2007.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
5. 071165 [Setting San Francisco's fiscal year 2007-2008 property tax rate and establishing pass-through rate for residential tenants]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2008.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
6. 071166 [Setting San Francisco Community College District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2008.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
7. 071167 [Setting San Francisco Unified School District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2008.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 071168 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2008.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
9. 071193 [Minimum Compensation Ordinance]
Supervisors Ammiano, Peskin, McGoldrick
Ordinance amending the San Francisco Administrative Code by adding Section 12P.5.1 to amend the Minimum Compensation Ordinance by imposing additional contract requirements on City contractors, including Airport property contractors.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
10. 070980 [Accept-Expend Federal Grant - Airport Commission]
Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of \$2,297,483 from the Transportation Security Administration ("TSA") for Airport K-9 Explosives Detection Team Program.
(Airport Commission)
(No Economic Impact)
- Question: Shall this Resolution be ADOPTED?
11. 071055 [Extension of Contract Third Street Light Rail Project Consultant Jacobs Civil]
Supervisor Maxwell
Resolution approving the increase of \$2,563,000 for Municipal Railway Contract No. CS-132, Quality Assurance and Construction Management Services for Phase I of the Third St. Light Rail Transit Project.
- Question: Shall this Resolution be ADOPTED?
12. 071092 [Contract between the Department of Public Health and San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 24]
Supervisor Ammiano
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to retroactively contract between the City and County of San Francisco and the San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 24 and young parents aged 19 through 24 for the period of July 1, 2007 through June 30, 2008 in the amount of \$11,342,433.
(Fiscal Impact)

7/31/2007, REFERRED to Budget and Finance Committee. Supervisor Ammiano requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

13. 071164 [Approval of two contracts with Siemens Medical Solutions USA, Inc. to support and maintain clinical and financial software applications in use by the Department]
Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively enter into two contracts with Siemens Medical Solutions USA, Inc. (Siemens) for the continued licensing and maintenance of proprietary Siemens applications for the term July 1, 2007 through June 30, 2012. (Public Health Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

14. 071229 [Park, Recreation and Open Space General Obligation Bonds]
Mayor, Supervisor Peskin
Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction of park, recreation and open space projects within the City and County of San Francisco and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated cost of \$185,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code section 2.34.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier

15. 071223 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Can San Francisco Keep its Promise to Reduce Greenhouse Gas Emissions?"]
Supervisor Elsbernd
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Can San Francisco Keep its Promise to Reduce Greenhouse Gas Emissions?".

Question: Shall this Resolution be ADOPTED?

16. 071224 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Parking for the Disabled—Abuse or Over-Use?"]
Supervisor Elsbernd
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Parking for the Disabled—Abuse or Over-Use?".

Question: Shall this Resolution be ADOPTED?

17. 071225 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Risk Management: Are the Managers Managing the Risks of the City"]
Supervisor Elsbernd
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Risk Management: Are the Managers Managing the Risks of the City".

Question: Shall this Resolution be ADOPTED?

18. 071226 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Compensation and Staffing Issues in the San Francisco Police Department"]
Supervisor Elsbernd
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Compensation and Staffing Issues in the San Francisco Police Department".

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Elsbernd, Alioto-Pier, Daly

19. 071177 [FY 2007-2008 California Constitution Appropriations Limit]
Supervisor Peskin
Resolution establishing the appropriations limit for Fiscal Year 2007-08 pursuant to California Constitution Article XIII B.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

20. 070910

[Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street] Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district. (Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar) (Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

21. 070911 [Affirming the categorical exemption issued for the 3424 Jackson Street project]
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
Question: Shall this Motion be APPROVED?
22. 070912 [Disapproving the categorical exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
Question: Shall this Motion be APPROVED?
23. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

24. **070905** **[Public Hearing - Appeal of Mitigated Negative Declaration - 601 Duboce Avenue]**
Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on June 7, 2007, approving a Mitigated Negative Declaration (File No. 2004.0603E), for the proposed development project at 601 Duboce Avenue.
(Filed June 19, 2007; Appellant; Nicole M. Phillips on behalf of Service Employees International Union, United Health Care) companion measure to Files 070906, 070907, 070908, District 8.)

8/7/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to September 18, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

25. **070906** **[Affirming adoption of the mitigated negative declaration for 601 Duboce Avenue]**
Motion affirming Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue.
(Clerk of the Board)

8/7/2007, CONTINUED. Continued to September 18, 2007

Question: Shall this Motion be APPROVED?

26. **070907** **[Reversing adoption of the mitigated negative declaration for 601 Duboce Avenue]**
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue.
(Clerk of the Board)

8/7/2007, CONTINUED. Continued to September 18, 2007

Question: Shall this Motion be APPROVED?

27. **070908** **[Preparation of findings to reverse adoption of the mitigated negative declaration for 601 Duboce Avenue]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue.
(Clerk of the Board)

8/7/2007, CONTINUED. Continued to September 18, 2007

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**28. 071024 [Public Hearing - Conditional Use Appeal for 601 Duboce Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Director by Motion No. 17444 dated June 7, 2007 (Case No. 2004.0603CE), approving conditional use authorization under Planning Code Section 303 and 304 to amend a previously approved conditional use authorization for a planned unit development and annual limit review for office development (Case No. 1987.847BC, Motion No. M13254 and M13255) and develop a new four story, 50,075 gross-square-feet (gsf), medical clinic and office building. The new building would contain medical offices, a Neuromuscular and Electroencephalogram Clinic, circulation/mechanical/support space, a pharmacy, an admitting station, located on the fourth story that connects to the existing adjacent ambulatory surgery department in the CPMC Hospital North Tower. As a Planned Unit Development, the project is seeking modifications to Planning Code requirements for rear yard and independently accessible parking. The property is in an RH-3 (Residential, House, Three-Family) Use District. While the five-story hospital north tower is the only building located in the 130-E Height and Bulk District portion of the site, the remaining portion (including the location of the project) is in the 65-D Height and Bulk District on property located at: 601 Duboce Avenue; Lot 001 in Assessor's Block 3539. (Appellant: Seabrook Leaf)

(Filed 7/9/07; companion measure to Files 071025, 071026, 071027; District 8.)

8/7/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to September 18, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)**29. 071025 [Approving Conditional Use Application for property located at 601 Duboce Avenue]**

Motion approving decision of the Planning Commission by its Motion No. 17444, approving Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue, and adopting findings pursuant to Planning Code Section 101.1.

8/7/2007, CONTINUED. Continued to September 18, 2007

Question: Shall this Motion be APPROVED?

30. 071026 [Disapproving Conditional Use Application for property located at 601 Duboce Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 17444, approving Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue.

8/7/2007, CONTINUED. Continued to September 18, 2007

Question: Shall this Motion be APPROVED?

31. 071027 [Findings - 601 Duboce Avenue Conditional Use Application Appeal]
Motion directing the Clerk to prepare findings related to the proposed Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue.

8/7/2007, CONTINUED. Continued to September 18, 2007

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee on September 13, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, September 18, 2007.

32. 071190 [Appointment to San Francisco LAFCO]
Supervisor Mirkarimi
Motion appointing Supervisor Chris Daly to the San Francisco Local Agency Formation Commission (LAFCO).

Question: Shall this Motion be APPROVED?
33. 071180 [Armando Peraza Day - September 1, 2007]
Supervisor Peskin
Resolution declaring September 1, 2007 "Armando Peraza Day" in San Francisco.

8/14/2007, REFERRED to Rules Committee.
Question: Shall this Resolution be ADOPTED?
34. 071182 [Commending John Barleycorn Pub]
Supervisor Peskin
Resolution commending John Barleycorn Pub for almost 40 years of enriching the City.

8/14/2007, REFERRED to Rules Committee.
Question: Shall this Resolution be ADOPTED?
35. 071183 [Sea Otter Awareness Week - September 23 - 29, 2007]
Supervisor Peskin
Resolution declaring September 23-29 Sea Otter Awareness Week.

8/14/2007, REFERRED to Rules Committee.
Question: Shall this Resolution be ADOPTED?

36. 071187 [Commending Chad Jacobs]
Supervisors Peskin, Elsbernd
Resolution commending Chad Jacobs for his outstanding years of service as a Deputy City Attorney.

8/14/2007, REFERRED to Rules Committee.

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the City Operations and Neighborhood Services Committee on September 13, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, September 18, 2007.

37. 071258 [Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program]
Supervisors McGoldrick, Maxwell, Mirkarimi
Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

Question: Shall this Resolution be ADOPTED?

38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 40 through 47

40. 071305 [Declaring October 11, 2007 as Eleanor Roosevelt Day]
Supervisors Ammiano, Mirkarimi, Maxwell, Daly, McGoldrick, Alioto-Pier, Peskin, Dufty
Resolution declaring October 11, 2007 as Eleanor Roosevelt Day and commending her for her contributions to women's and human rights.
- 9/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
41. 071306 [Supporting the medical practice of acupuncture and Oriental Medicine Study programs]
Supervisor Ammiano
Resolution supporting the medical practice of acupuncture and the National Oriental Medicine Accreditation Agency and the creation of Doctor of Oriental Medicine Study programs in the California State university System and University of California medical System.
- 9/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
42. 071307 [Iraq Moratorium]
Supervisors Ammiano, Daly
Resolution endorsing the Iraq Moratorium's demands to stop the war and bring the troops home.
- 9/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 071308 [Declaring September 2007 as Reentry Month]
Supervisor Mirkarimi
Resolution declaring the month of September 2007 as Reentry month in the City and County of San Francisco.
- 9/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

44. 071309 [Commending the Brotherhood Way Interfaith and Residential Community]
Supervisor Elsbernd
Resolution commending the Brotherhood Way Interfaith and Residential Community for their annual Vigil Service of Remembrance for Victims of War and Terrorism.

9/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 071310 [Approval of Addendum to Port Lease for Living Classroom at Heron's Head Park]
Supervisor Maxwell
Resolution approving an Addendum to Lease No. 13816 with Literacy for Environmental Justice for Construction, Maintenance, and Operation of a Living Classroom Building at Heron's Head Park.

9/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 071313 [Lights Out San Francisco]
Supervisors McGoldrick, Alioto-Pier
Resolution to support extinguishing all non-essential lighting in all city government buildings, public schools and public landmarks for the hour between 8:00 PM and 9:00 PM on October 20, 2007 to conserve energy as part of the city-wide energy conservation event: Lights Out San Francisco, and establishing October 20, 2007 as Lights Out San Francisco Day.

9/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 071263 [Final Map - 5600 Third Street]
Motion approving Final Map 3813, a 124 Unit Residential Condominium Project, located at 5600 Third Street being a subdivision of Lots 012 and 013 in Assessors Block No. 5421 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,048; District 10.)

9/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

48. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 4, 2007 through September 10, 2007, for reference by President to appropriate committee on September 18, 2007.

071274 [San Francisco Building Code]

Ordinance repealing the San Francisco Building Code in its entirety and replacing that code with a new 2007 San Francisco Building Code consisting of the 2007 California Building Code, which is based upon the 2006 International Building Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.
(Building Inspection Department)

9/7/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007

071275 [San Francisco Electrical Code]

Ordinance repealing the San Francisco Electrical Code in its entirety and replacing that code with a new 2007 San Francisco Electrical Code consisting of the 2007 California Electrical Code, which is based upon the 2005 National Electrical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.
(Building Inspection Department)

9/7/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007

071276 [San Francisco Housing Code]

Ordinance repealing the San Francisco Housing Code in its entirety and replacing that code with a new 2007 San Francisco Housing Code to conform to the new numbering system of the 2007 California Building Code and to re-enact San Francisco's local amendments to the State Housing Code with minor changes; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071277 [San Francisco Mechanical Code]

Ordinance repealing the San Francisco Mechanical Code in its entirety and replacing that code with a new 2007 San Francisco Mechanical Code consisting of the 2007 California Mechanical Code, which is based upon the 2006 Uniform Mechanical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071278 [San Francisco Plumbing Code]

Ordinance repealing the San Francisco Plumbing Code in its entirety and replacing that code with a new 2007 San Francisco Plumbing Code consisting of the 2007 California Plumbing Code, which is based upon the 2006 Uniform Plumbing Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071281 [Procurement of Construction Management and General Contractor services for the new Public Utilities Commission administrative building at 525 Golden Gate]

Ordinance approving an Integrated Project Delivery Plan for the early procurement of a Construction Manager/General Contractor for the new Public Utilities Commission administrative building at 525 Golden Gate Avenue and modifying the competitive bid requirements of Administrative Code Chapter 6 to require an alternative competitive process based on experience, qualifications, and price.

9/10/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 4, 2007 through September 10, 2007, for reference by President to appropriate committee on September 18, 2007.

071280

[Sale of Surplus Real Property Located in the City of South San Francisco]

Resolution approving an Agreement For Sale of Real Estate between the City and County of San Francisco and The Redevelopment Agency of the City of South San Francisco pertaining to approximately 13.64 acres of land located in the vicinity of Chestnut Avenue and El Camino Real in the City of South San Francisco; adopting findings that the transaction is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.
(Real Estate Department)

9/7/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071317 [Petitions and Communications]

Petitions and Communications received from September 4, 2007 through September 10, 2007 for reference by the President to September 18, 2007

From Office of Labor Standards Enforcement, submitting copy of letter to Office of Contract Administration regarding uniform and garment contracts. (1)

From Fire Commission, regarding a proposed Ordinance amending the 2001 San Francisco Fire Code to change local building standards applicable to high-rise structures. (2)

From Department of Elections, regarding alternate security plan for November 6, 2007 election. (3)

From Ernest Ramirez, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor (4)

From D. A. Graczyk, regarding the fMRI signal and the Wi-Fi system which amplifies it. File 070077, Copy: Each Supervisor (5)

From various City departments, certifying that the funding provided in the budget for fiscal year 2007-08 is adequate for the department to meet service levels as proposed to the Board of Supervisors: (6)
Adult Probation Department
Board of Appeals
Superior Court of California

From concerned citizens, commenting on free speech. File 071185, Copy: Each Supervisor, 3 letters (7)

From Suzanne Dowling, urging the Board to vote against the Mitigated Negative Declaration appeal for 3400 Cesar Chavez Street. File 070708 (8)

From concerned citizens, commenting on the new Transbay Terminal design and development. Copy: Each Supervisor, 2 letters (9)

From Christian Holmer, regarding an overdue immediate disclosure request from the District Attorney. (10)

From Francisco Da Costa, commenting on health and safety issues not being addressed by the SF Health Department and Lennar BVHP LLC. (11)

From Sharon Castle, regarding the problem of homeless and vagrants sleeping every night in the entrance of the 1 Mallorca building for the last 6 years. Copy: Supervisor Alioto-Pier (12)

From Jim Kirwan, regarding the Library Commission. (13)

From Inge Horton, submitting opposition to the 2007-2008 water and wastewater rates adopted by the San Francisco PUC. (14)

From Gary and Susan Gulbransen, commenting on the rent increase for the Java House imposed by the SF Port. Copy: Each Supervisor (15)

From Jim Currie, commenting on Sharp Park Golf Course. Copy: Each Supervisor (16)

From Mirna Escobar, submitting copy of letter to the San Francisco Housing Authority regarding San Francisco In-Home Support Services Agency for seniors and the disabled. (17)

From Joseph O'Shea, submitting copy of letter to the U.S. Department of Housing and Urban

Development regarding the increase of live-in health care workers moving in with residents at his apartment complex. (18)

From Alex Lantsberg, submitting resolution of the PUC Citizens Advisory Committee regarding the SFPUC Water System Improvement Program. Copy: Each Supervisor (19)

From various City departments, submitting response to the 2006-2007 Civil Grand Jury Report: Can San Francisco keep its promise to reduce greenhouse gas emissions? (20)

Department of the Environment

San Francisco Local Agency Formation Commission

Office of the Mayor

From Barbara Kausen, commenting on unsanitary conditions of City streets. (21)

From various City departments, submitting response the 2006-2007 Civil Grand Jury Report: Risk Management: Are the Managers managing the risks of the City. (22)

Asian Art Museum

Office of the City Administrator

Risk Management Program

Office of the Mayor

Office of the Attorney

From various City departments, submitting response to the 2006-2007 Civil Grand Jury Report: Preparing for a Disaster: Administrative Commitment and Appropriate Funding in the Department of Emergency Management and the Department of Public Health. (23)

Department of Emergency Management

Office of the Mayor

From Police Department, submitting response to the 2006-2007 Civil Grand Jury Report regarding Compensation Issues in the San Francisco Police Department and the Entertainment Commission: A Work in Progress. (24)

From various City departments, submitting response to the 2006-2007 Civil Grand Jury Report: The Entertainment Commission: A Work in Progress. (25)

Office of the City Administrator

Office of the Mayor

From Office of the Mayor, submitting its response to the 2006-2007 Civil Grand Jury Report: Compensation and Staffing Issues in the San Francisco Police Department. (26)

From Office of the Mayor, submitting its response to the 2006-2007 Civil Grand Jury Report: Parking for the Disabled: Abuse or Over-Use? (27)

From Office of the Mayor, submitting its response to the 2006-2007 Civil Grand Jury Continuity Report. (28)

From Department of Elections, regarding additional request [Municipal Election Code (MEC) Section 500(c)(8)] – Supervisors' Positions on Proposition H -Regulating Parking Spaces. (29)

From concerned citizens, commenting on freedom of speech. 2 letters (30)

From Municipal Transportation Agency, regarding status on the feasibility of establishing an ALL-WAY STOP at the intersection of Ellis and Webster Streets. (Reference 20070327-013) Copy: Supervisor Mirkarimi (31)

From Tenderloin Housing Clinic, regarding the minor sidewalk encroachment appeal for 1166 Haight Street. File 070967, Copy: Each Supervisor (32)

From concerned citizens, commenting on the Conditional Use appeal for 4041 Geary Boulevard. File 071031, Copy: Each Supervisor, 7 letters (33)

From Department of Public Works, submitting quarterly report of the DPW Defective Sidewalk Repair Revolving Account for April 1, 2007 through June 30, 2007 and the revised report for January 1, 2007 through March 31, 2007. (34)

From Department of Public Works, submitting annual report of the DPW Monument Preservation Fund to June 30, 2007. (35)

From Eula Walters, submitting copy of letter to the Recreation and Park Commission regarding renaming Sue Bierman Park back to Ferry Park. (36)

From Library Users Association, regarding request for Sunshine Ordinance Task Force complaint hearing. (37)

From T Mobile, submitting notification letter to the California Public Utilities Commission regarding the cellular base site at the Canizales Building. (38)

From concerned citizens, commenting on the Conditional Use appeal for 4041 Geary Boulevard. File 071031, Copy: Each Supervisor (39)

From CA Office of Historic Preservation/Department of Parks and Recreation, regarding National Register of Historic Places nomination for Colombo Building. Copy: Each Supervisor (40)

From CA Office of Historic Preservation/Department of Parks and Recreation, regarding National Register of Historic Places nomination for Lillian Coit Memorial Tower. Copy: Each Supervisor (41)

From CA Office of Historic Preservation/Department of Parks and Recreation, regarding National Register of Historic Places nomination for San Francisco Normal School/San Francisco State Teacher's College. Copy: Each Supervisor (42)

From Public Utilities Commission Citizens Advisory Committee, submitting resolution on public participation in the SFPUC Water System Improvement Program. Copy: Each Supervisor (43)

From Tenderloin Housing Clinic, commenting on the Minor Sidewalk Encroachment appeal for 1166 Haight Street. File 070969, 2 letters (44)

From Marcia Lieberman, submitting support for the appeal of environmental review exemption of 317 Cortland Avenue. File 071070, Copy: Each Supervisor (45)

From John Krieter, submitting support for the Conditional Use appeal for 601 Duboce. File 071024, Copy: Each Supervisor (46)

From concerned citizens, urging the Board to take action to protect safe access to medical cannabis and submitting opposition to the landmarking of 194 Church Street. File 071126, Copy: Each Supervisor, 34 signature pages (47)

From Paula Maria Vannucci-Bartunek, submitting letter to Mayor regarding MUNI service. (48)

From Department of Health & Human Services, regarding the review of the audit report on the City and County for the period ending June 30, 2004 and the response to the audit findings in the audit report. Copy: Each Supervisor (49)

From Francisco Da Costa, commenting on the 2007 Environmental Justice and Air Pollution Workshop. 2 letters (50)

From Francisco Da Costa, commenting on the increase of murders and shootings in San Francisco. (51)

From Francisco Da Costa, commenting on Parcel A in Bayview Hunters Point. 2 letters (52)

From Christian Holmer, regarding an immediate disclosure request from the District Attorney. 2 letters (53)

From Patricia F. McManus, commenting on the 317 Cortland Avenue appeal. File 071070, Copy: Each Supervisor (54)

From Travis Phillips, commenting on neighborhood safety and repairs. (55)

From Alaka Roubideaux, urging the Board to support the clean construction ordinance. File 061432. Copy: Each Supervisor (56)

From concerned citizen, commenting on price-fixing by Tenderloin neighborhood liquor merchants. (57)

From Bill Sargeant, submitting opposition to the proposed ID program for illegal immigrants. Copy: Supervisor Ammiano (58)

From Police Commission, submitting response to the 2006-2007 Civil Grand Jury Report: Compensation and Staffing Issues in the San Francisco Police Department." (59)

From Peter Warfield, regarding filing deadline for SOTF complaints. (60)

From Public Utilities Commission, regarding SFPUC supplemental appropriation (\$33,521,354) to fund the construction of a new administrative building at 525 Golden Gate Avenue. (61)

From Paul Moshay, commenting on illegal immigration. Copy: Supervisor Ammiano (62)

From Sunshine Ordinance Task Force, submitting response to constituent regarding a request for hearing. (63)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised September 13, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending the Campaign and Governmental Conduct Code by amending section 1.161 and repealing section 1.162 to require persons making independent expenditures to pay for mass mailings that support or oppose candidates for City elective office to file those mailings and itemizations of costs with the Ethics Commission	071290	Rules Committee	Supervisor Daly	9/11/07	10/11/07
Ordinance amending the San Francisco Planning Code by amending subsection 260(b) by adding subsection 260(b)(1)(A)(i) to allow mechanical equipment and screening changes that do not exceed three additional feet in height and do not contain new occupiable floor space in any C-3-G Zoning District; and adopting findings.	071291	Land Use and Economic Development Committee	Supervisor Daly	9/11/07	10/11/07
Ordinance amending the Planning Code by repealing Section 825.1 and amending Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.	071292	Land Use and Economic Development Committee	Supervisor Daly	9/11/07	10/11/07
Ordinance amending the SF Environment Code by adding Chapter 9, Sections 900 through 908, to establish City greenhouse gas emissions targets and departmental action plans, for the DOE to coordinate these efforts and make findings.	071294	City Operations and Neighborhood Services Committee	Supervisor Mirkarimi	9/11/07	10/11/07

Ordinance amending the San Francisco Fire Code by amending Section 9001.1.4 to exempt certain high-rise structures having a fire-safe elevator from requirements for a self-contained breathing air replenishment system; amending the San Francisco Fire Code by adding Section 9001.15 to change local building standards to require that certain high-rise structures include an elevator safe for Fire Department use under fire conditions; making findings as to local conditions pursuant to California Health and Safety Code Section 17958.7; and making environmental findings.	071301	Land Use and Economic Development Committee	Supervisor Peskin	9/11/07	10/11/07
Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2007 San Francisco Fire Code consisting of the 2007 California Fire Code and portions of the 2006 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings.	071257	Land Use and Economic Development Committee	Fire Department	9/11/07	10/11/07
Ordinance amending Planning Code by amending Section 242 (e)(1)(D) to allow certain wind power generators within the Bernal Heights Special Use District subject to height limitations set forth in Section 260(b)(1)(A), making findings.	071216	Land Use and Economic Development Committee	Supervisor Ammiano	8/14/07	9/13/07

Ordinance amending Section 78.1.8 of the Planning Code to allow relocation of existing Liquor Establishment in the Mission Alcoholic Beverage Special Use Subdistrict to another location within the same Mission Alcoholic Beverage Special Use Subdistrict, and making findings.	071217	Land Use and Economic Development Committee	Supervisor Anniano	8/14/07	9/13/07
Ordinance amending the Planning Code to require the City Controller to study the impacts of new development in the C-3 zoning districts, requiring the Board of Supervisors to amend City codes to establish new development impact fees and/or to change the amounts of existing fees for development in the C-3 zoning districts, depending on the results of the study, and making environmental findings, general plan findings, and other required findings.	071219	Budget and Finance Committee	Supervisor Daly	8/14/07	9/13/07
Ordinance adding Chapter 5 to Article III of the Campaign and Governmental Conduct Code to prohibit members of boards, commissions, and advisory bodies from participating in a meeting when compromised by alcohol or illegal drugs.	071220	Rules Committee	Supervisor Daly	8/14/07	9/13/07
Ordinance amending Section 67.7 of the Administrative Code to require meeting agendas for a policy body to include attendance records for members of the body.	071221	Rules Committee	Supervisor Daly	8/14/07	9/13/07
Ordinance amending Section 16.9-25 of the Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision.	071222	Rules Committee	Supervisor Daly	8/14/07	9/13/07

Charter amendment (First Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor to prepare an affordable housing plan every three (3) years; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and setting an expiration date of July 1, 2023.	071218	Rules Committee	Supervisor Ammiano	8/14/07	9/13/07
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BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF MATTER CALLED OUT OF COMMITTEE

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that pursuant to Rule 5.34 the following matter has been called out of the Government Audit and Oversight Committee by Supervisor Daly at the Board Meeting of September 18, 2007:

File No. 070931 Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

The Board will be meeting on September 25, 2007 at 2:00 p.m., in the Legislative Chambers on the second floor of City Hall to consider the above item

In the absence of a motion adopted by unanimous vote, participation in the discussion will be limited to Supervisors and City and County staff personnel.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Angela Calvillo, Clerk of the Board

DOCUMENTS DEPT.

POSTED: September 20, 2007

SEP 21 2007

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, September 25, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

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SEP 21 2007

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

2nd and 4th Thursday

1:00 PM

1st and 3rd Mondays

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition 1 in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 19

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty

1. 071085 [Appropriating \$5,647,000 for increased costs at San Francisco General and Laguna Honda Hospitals in the Department of Public Health retroactive to Fiscal Year 2006-2007]
Mayor
Ordinance appropriating \$5,647,000, including \$4,591,000 of Patient Revenue to support increased overtime, fringes and services of other departments at San Francisco General Hospital and \$1,056,000 of MediCal revenues at Laguna Honda hospital to support salary and fringes at Laguna Honda Hospital for the Department of Public Health retroactive to Fiscal Year 2006-2007.
(Fiscal Impact.)

9/18/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
2. 071165 [Setting San Francisco's fiscal year 2007-2008 property tax rate and establishing pass-through rate for residential tenants]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2008.

9/18/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. 071166 [Setting San Francisco Community College District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2008.

9/18/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

4. 071167 [Setting San Francisco Unified School District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2008.
- 9/18/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
5. 071168 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2008.
- 9/18/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
6. 071193 [Minimum Compensation Ordinance]
Supervisors Ammiano, Peskin, McGoldrick
Ordinance amending the San Francisco Administrative Code by adding Section 12P.5.1 to amend the Minimum Compensation Ordinance by imposing additional contract requirements on City contractors, including Airport property contractors.
- 9/18/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Jew

7. 071227 [Accept-Expend Federal Grant - Department of Public Works]
Supervisor Elsbernd
Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of \$482,040 from the California Department of Transportation to upgrade guardrails at Twin Peaks Boulevard; O'Shaughnessy Boulevard at Del Valle Avenue; Portola Drive north of Burnett Avenue and west of Burnett Avenue.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

8. 071005 [No Parking Anytime - Establish]
Supervisor Jew
Resolution establishing NO PARKING ANYTIME on Lincoln Way, south side, from 45th Avenue to 40 feet westerly.
(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

9. 071088 [Parking Regulations]
Supervisor McGoldrick
Resolution enacting and rescinding parking regulations at various locations

PARKING METER AREA 3 (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM,
MONDAY THROUGH SATURDAY) – RESCIND
PARKING METER AREA 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM,
MONDAY THROUGH SATURDAY) – ESTABLISH

Clement Street, on metered blocks and adjacent north-south metered streets, between Arguello Boulevard and 25th Avenue (changes existing one hour meters to two hour time limit)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

10. 071237 [Settlement of Lawsuit - Pacific Bell Telephone Company]
Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$94,000.00; the lawsuit was filed on October 25, 2006 in San Francisco County Superior Court, Case No. 457-327; entitled Pacific Bell Telephone Company v. City and County of San Francisco.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 071238 [Settlement of Lawsuit - Jane Martin, et al. (Order Sons of Italy) v. CCSF]
Ordinance authorizing settlement of the portion of the lawsuit filed by Order Sons of Italy in America Grand Lodge of the Golden West Corporation against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 071246 [Settlement of Lawsuit - Theodore Tarver, Jr. (Kathryn Cox) v. CCSF]
Ordinance authorizing settlement of an award of attorney's fees to attorney Kathryn Cox for \$162,941 against the City and County of San Francisco; the underlying lawsuit was filed on July 19, 2002 in San Francisco Superior Court, Case No. 410499 entitled Theodore Tarver, Jr. v. City and County of San Francisco.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
13. 071252 [Settlement of City's Lawsuit Against Aquila, Inc. and Aquila Merchant Services, Inc.]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides \$1,500,000 from defendants Aquila, Inc. and Aquila Merchant Services, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
14. 071253 [Settlement of City's Lawsuit Against Enserco Energy, Inc.]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides \$750,000 from defendant Enserco Energy, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
15. 071256 [Settlement of City Claim Against PG&E]
Ordinance approving the settlement of a claim asserted by the City and County of San Francisco against Pacific Gas & Electric Company in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
16. 071163 [Settlement of Unlitigated Claim - Wells Fargo]
Resolution approving the settlement of the unlitigated claim filed by Wells Fargo against San Francisco for \$43,678; claim was filed on May 23, 2007.
(City Attorney)
- Question: Shall this Resolution be ADOPTED?

17. 071271 [Appointment - Sweatfree Procurement Advisory Group]
Resolution appointing Christian Martinez, term ending December 17, 2007, to the Sweatfree Procurement Advisory Group.
Christian Martinez, succeeding Laura Juran, resigned, seat 4, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007.

Question: Shall this Resolution be ADOPTED?

18. 071272 [Appointment - Urban Forestry Council]
Resolution appointing J. Malcolm Hillan, term ending April 5, 2009, to the Urban Forestry Council.
J. Malcolm Hillan, succeeding Larry Costello, term expired, seat 1, must be a representative of the University of California Cooperative Extension or a representative of another educational organization involved with tree management, for the unexpired portion of a two-year term ending April 5, 2009.

Question: Shall this Resolution be ADOPTED?

19. 071273 [Appointment - Child Care Planning and Advisory Council]
Resolution appointing Sheila Norman, term ending December 31, 2008, to the Child Care Planning and Advisory Council.
Sheila Norman, succeeding herself, term expired, seat 11, must be a nominee of District 11 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for the unexpired portion of a three-year term ending December 31, 2008.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

20. 070667 [Medical Cannabis Dispensary Permits]

Supervisor Alioto-Pier

Ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; (f) clarify the definition of "medical cannabis dispensary; and (g) adopting General Plan, Planning Code Section 101.1(b) and environmental findings."

8/14/2007, CONTINUED AS AMENDED.

8/14/2007, CONTINUED AS AMENDED. Continued to September 11, 2007 with the Board Sitting as a Committee of the Whole

9/11/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

9/11/2007, CONTINUED AS AMENDED. Continued to September 18, 2007

9/18/2007, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

21. 071349 [Adopting findings related to the conditional use appeal on property located at 4041 Geary Boulevard]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2007.0286C, subject to certain conditions, to allow the establishment of a Formula Retail Use (dba Starbucks, retail coffee store), with approximately 750 square feet in floor area in a vacant commercial space located in a recently approved auto service and repair shop (dba "Service Center for San Francisco Toyota"), a one-story commercial building. The project site is located in an NC-3 (Moderate Scale) Neighborhood Commercial District and a 40-X Height and Bulk District on property located at 4041 Geary Boulevard, Lot 050 on Assessor's Block 1540.

9/20/2007, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

22. 070680 [Administrative Penalties and Fees for Fare Evasion or Passenger Misconduct Offenses]**Supervisor Peskin**

Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties for offenders over the age of eighteen where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

7/31/2007, PASSED ON FIRST READING.

8/7/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

9/11/2007, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

23. 070833 [2008 Finance Corporation Equipment Program]

Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 15 (Series 2008A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$13,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

24. 071245 [Authorizing the Office of Contract Administration to amend its contract with En Pointe to exceed \$31 million and its contract with Xtech to exceed \$37 million]

Resolution authorizing the Office of Contract Administration to enter into the Sixth Amendment between the City and En Pointe (part of the Computer Store procurement vehicles), to increase the contract amount to \$35 million, and to enter into the Eighth Amendment between the City and Xtech (also part of the Computer Store procurement vehicle), to increase the contract amount to \$51 million. (Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

25. 071255 [Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703 for fiscal year 2006-2007 and thereafter]

Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703 for fiscal year ending June 30, 2007 and thereafter. (Controller)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Peskin, Ammiano, Duffy

26. 071231 [Lease of Real Property at 1390 Market Street]
Mayor

Resolution authorizing the lease of 6,029 square feet of space in the building located at 1390 Market Street for the Office of Labor Standards Enforcement.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Jew

27. 071162 [Liquor License - 690 Market Street]

Resolution determining that the of a Type 57 Special On-Sale General liquor license to Michael J. Brewer for RC Social Club of San Francisco, Inc. located at 690 Market Street (District 6) will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

28. 071149 [Planning Code-Amending Article 11 Designation of 225-227 Front Street]

Ordinance amending the designation of 225-227 Front Street (Assessor's Block 0237, Lot 005) from Category V (Unrated) to Category IV (Contributory) under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 071111 [Parking Regulations]
Resolution enacting parking regulations on Clementina Street.

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 9 AM TO 6 PM, EVERYDAY) - ESTABLISH
Clementina Street, both sides, between 1st and 2nd Streets (unit block, includes addresses on both sides for permits, but signs will only be installed on the south side); and,
246 Second Street (no signs will be installed on 2nd Street, but residents will be eligible for Area "Y" permits).
(Parking and Traffic Department)
(6/28/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3375).
(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

Called From the Government Audit and Oversight Committee

30. 070931 [Seeking a permanent halt to the Blue Angels air show over San Francisco]
Supervisors Daly, Mirkarimi, Sandoval, Ammiano
Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.
(No Economic Impact)
(Supervisor Daly dissented in Committee)

6/26/2007, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

9/18/2007, CALLED FROM COMMITTEE. Pursuant to Rule 5.31 Supervisors Daly, Mirkarimi, Sandoval and Ammiano called this measure from Government Audit and Oversight Committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

31. 071037 [Appeal of Determination of Exemption from Environmental Review for project at Wawona Street and 15th Avenue (aka "445 Wawona Street)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 12, 2007, Case No. 2006.0608E, exempting from environmental review under Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332). The project would construct eight 3,760 square-foot, three-story, 3 bedroom, 35-foot high detached residential units with below-grade parking on eight vacant lots created out of a portion of the Ardenwood residential care facility property at 445 Wawona Street. The project site is located at the intersection of Wawona Street and 15th Avenue on the block bounded by 19th Avenue and Sloat Boulevard in the West Portal Neighborhood (Assessor's Block 2540, Lots 93-100). The project site was subdivided from the 532,738 square-foot (12.23-acre) Ardenwood property (Assessor's Block 2540, Lot 8) in 2006, creating nine new lots. No changes are proposed for the Ardenwood residential care facility. The project site is currently vacant open space with the exception of a greenhouse/storage structure, which would be demolished as part of the project. The project site is located within the RH-1(D) (One-Family, Detached Dwellings) zoning district and a 40-X height and bulk district. (Appellants: Matthew and Claudia Chamberlain and Susan Hewitt filed July 6, 2007) (Filed July 6, 2007; companion measure to 071038, 071039, 071040; District 7.)

8/14/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to September 25, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

32. 071038 [Affirming the categorical exemption issued for 445 Wawona Street]
Motion affirming the determination by the Planning Department that the 445 Wawona Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 8/14/2007, CONTINUED. Continued to September 25, 2007
Question: Shall this Motion be APPROVED?
33. 071039 [Disapproving the categorical exemption issued for 445 Wawona Street]
Motion disapproving the determination by the Planning Department that the 445 Wawona Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 8/14/2007, CONTINUED. Continued to September 25, 2007
Question: Shall this Motion be APPROVED?
34. 071040 [Preparation of findings related to the 445 Wawona Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 445 Wawona Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 8/14/2007, CONTINUED. Continued to September 25, 2007
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

35. 071070 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 317 Cortland Avenue]
Hearing of persons interested in or objecting to the decision of the Planning Department dated June 21, 2007, Case No. 2006.0056E, exempting from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Sections 15301(l)(4) and Categorical Exemption Class 3 (State CEQA Guidelines Sections 15303(b) and 15303(c). The project would demolish the existing two-car parking structure and construct a 35-foot-tall, 3,820-square foot, three-story mixed-use building with two dwelling units over approximately 1,590-square-feet of commercial space open to Cortland Avenue and with the 130-square foot walk-up access to the residential floors above. The two dwelling units would each be about 1,115 square feet. Each unit would have access to private usable open space on either a rear deck, balcony or a courtyard. The subject property (Assessor Block 5667, Lot 014) is within an NC-2 (Small Scale Neighborhood Commercial) Use District and a 40-X Height and Bulk District. (Appellants: Gordon Thrupp, Robin Mackey, Suzanne Landucci, Donna Roberts, Caroline Peel and Bloum Cardenas.)
(Filed July 18, 2007; companion measure to 071071, 071072, 071073; District 9.)

9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to September 25, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

36. 071071 [Affirming the categorical exemption issued for the 317 Cortland Street Project]
Motion affirming the determination by the Planning Department that the 317 Cortland Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

9/11/2007, CONTINUED. Continued to September 25, 2007
Question: Shall this Motion be APPROVED?
37. 071072 [Disapproving the categorical exemption issued for the 317 Cortland Street Project]
Motion disapproving the determination by the Planning Department that the 317 Cortland Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

9/11/2007, CONTINUED. Continued to September 25, 2007
Question: Shall this Motion be APPROVED?

38. 071073 [Preparation of findings related to the 317 Cortland Street Project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 317 Cortland Street is exempt from environmental review under the California Environmental Quality Act.

9/11/2007, CONTINUED. Continued to September 25, 2007

Question: Shall this Motion be APPROVED?

39. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

40. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

41. 071348 [Legislative Analyst Request - School Districts and City and County governments]
Supervisor Duffy
Motion requesting the Office of the Legislative Analyst to prepare a report on best practices by School Districts and City and County governments on maximizing the ability of children and their families to qualify for benefits, such as health care (Medi-Cal), food stamps and school nutrition programs, among others. The Legislative Analyst is requested to work with the Department of Human Services Office of Policy and Planning in the preparation of this report.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 42 through 51**42. 071352 [Supporting Private Security Officers Week of Action]****Supervisor Daly**

Resolution supporting the private security officers and their union SEIU 24-7's week of action to win improved training for personal advancement, a living wage and full family health benefits on par with janitors and other workers in San Francisco's commercial real estate sector; and encouraging the City's wealthiest property owners and the security company contractors such as ABM and Securitas to end the double standard facing security officers who struggle to make ends meet based on the low wages and often unaffordable healthcare premiums.

9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 071353 [Approval of a 45-day extension for Planning Commission review]**Supervisor Daly**

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 315.4 and the addition of 315.6A that would allow project sponsors the option of paying the inclusionary housing in-lieu fee to a qualifying nonprofit entity to acquire and rehabilitate units as permanently affordable rental housing if the number of resulting units will be 25% higher than the amount provided under the existing off-site alternative.

9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 071355 [Approval of a 30 day extension for Planning Commission review]**Supervisor Peskin**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 121.2 to move the Polk Street Neighborhood Commercial District from a 3,000 square foot use size limit to a 2,000 square foot size limit, and amend Section 723 to provide that commercial and institutional uses in the Polk Street Neighborhood Commercial District are permitted up to 1,999 square feet and allowed as a conditional use for 2,000 square feet and above; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 071354 [Daniel Pearl Day - October 10, 2007]
Supervisor Peskin
Resolution declaring October 10, Daniel Pearl World Music Day in San Francisco.
- 9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 071356 [Supporting City of Oakland to fight lawsuit against Plastic Bag Ban]
Supervisor Mirkarimi
Resolution supporting the City of Oakland in fighting a lawsuit that has been brought against Oakland's recently passed ban on non-compostable check out plastic bags at large retail stores and urging the City of Oakland to fight the industry suit and not to conduct a full environmental impact report that could set a precedent for other local government efforts to protect the environment.
- 9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 071357 [Declaring October 2 International Day of Nonviolence and Spinning Wheel Birthday]
Supervisor Mirkarimi
Resolution declaring October 2 International Day of Non-violence and, in accordance with the wishes of Mohandas K. Gandhi commemorating his date of birth, October 2, as the Spinning Wheel Birthday.
- 9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 071358 [Requesting Police Department to end vehicle impounding]
Supervisor Sandoval
Resolution urging the San Francisco Police Department to temporarily cease the impoundment of vehicles for lack of a California Driver's License, pending City Attorney review of current law.
- 9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
49. 071359 [SF Climate Challenge]
Supervisor Alioto-Pier
Resolution to support public participation in the SF Climate Challenge and to name October 25, 2007 SF Climate Challenge Day, with the goal of reducing energy use in City residences, thereby reducing the emission of greenhouse gases which cause global warming.
- 9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

50. 071314 [Final Map - 2917-2919 24th Street]
Motion approving Final Map 4185, a 5 Unit Residential and 1 Unit Commercial Mixed-Use Condominium Project, located at 2917-2919 24th Street being a subdivision of Lot 015 in Assessors Block No. 4269 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,127; District 9.)

9/14/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

51. 071315 [Final Map 4078 - 1158 Sutter Street]
Motion approving Final Map 4078, a 15 Unit Mixed-Use Condominium Project, located at 1158 Sutter Street being a subdivision of Lot 010 in Assessors Block No. 0669 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1,
(Public Works Department)
(DPW Order No. 177,091; District 3)

9/14/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

52. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 11, 2007 through September 17, 2007, for reference by President to appropriate committee on September 25, 2007.

- 071326 [Public Employment - Department of Public Health]
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 34.95 positions in the Department of Public Health pursuant to Ordinance 162-07 (Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union Local 790 Staff and Per Diem Nurses) and Ordinance 164-07 (Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees and Helpers Local 856 Supervising Registered Nurses Unit 11.B) using funding from the Salaries and Benefits Reserve as appropriated in Ordinance 174-07 (Consolidated Budget and Annual Appropriation Ordinance for Fiscal Year Ending June 30, 2008). (Human Resources Department)

9/11/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071329 [Amending and Repealing Cash Revolving Funds and Cash Revolving Accounts]
Ordinance amending and repealing various sections of Article XV, Part I of the San Francisco Municipal Code (Administrative Code), which established cash revolving funds and cash revolving accounts for the City and County of San Francisco departments. (Controller)

9/17/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 11, 2007 through September 17, 2007, for reference by President to appropriate committee on September 25, 2007.

071323 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

20th Avenue and Moraga Street, stopping 20th Avenue, making this intersection an All-Way STOP;

Pacheco Street at 41st Avenue, stopping the stem of this currently uncontrolled T-intersection;

Both ends of Dormitory Road at Northridge Road/Jerrold Avenue and at Kiska Road/Kirkwood Avenue, stopping the stem of these currently uncontrolled T-intersections.

(Parking and Traffic Department)

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

9/11/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071324 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 7 AM TO 7 PM, EVERYDAY EXCEPT BUSES AND TAXIS - ESTABLISH 5th Street, southbound, at Mission Street.

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

9/11/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071325 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
1550 - 1562 22nd Street (includes these addresses to be eligible for Area "X" permits, but no signs will be posted on the street).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Ivy Street, both sides, between Buchanan and Webster Streets (signs will only be posted on the north side because of NPAT on the south side); and;
Webster Street, east side, between Ivy and Grove Streets.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Laurel Street, east side, between California Street and Mayfair Drive.

NO PARKING ANYTIME - RESCIND
Linden Street, north side, from 82 feet to 101 feet west of Gough Street.

COMPACT VEHICLES ONLY - ESTABLISH
Linden Street, north side, from 82 feet to 101 feet west of Gough Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Linden Street, south side, from 40 feet to 136 feet west of Gough Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Geary Boulevard, south side, Masonic Avenue frontage road to 70 feet westerly (removes parking meter #2703).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Page Street, south side, from Laguna Street to 20 feet easterly; and,
Laguna Street, east side, from Page Street to 21 feet southerly.

2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Gough Street, east side, from Geary Boulevard to Ellis Street.

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Gough Street, west side, from Eddy Street to Golden Gate Avenue.

TOW-AWAY, NO PARKING, 1 AM TO 6 AM, DAILY - ESTABLISH
Clementina Street, south side, from Gallagher Lane to 5th Street,

TOW-AWAY, NO PARKING, MIDNIGHT TO 6 AM, DAILY ESTABLISH
Gallagher Lane, west side, from 20 feet north of Clementina Street to Tehama Street; and,
Gallagher Lane, east side, from Clementina Street to 20 feet south of Tehama Street.

4-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, EXCEPT SATURDAY AND SUNDAY - ESTABLISH
San Bruno Avenue, east side, between 15th and Alameda Streets; and,
15th Street, both sides, between San Bruno and Vermont Streets.
(Parking and Traffic Department)

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a

negligible increase in the use of the street; DPT Order No. 3407.)

9/11/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 071327 [Extending to September 30, 2008 the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy through which the Authority provides caretaker services at former Naval Station Treasure Island]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement from October 1, 2007 to September 30, 2008.

(Treasure Island Development Authority)

9/12/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071361 [Approval of Exercise of Renewal Option of Lease of Real Property at One Market Plaza]

Resolution approving the exercise of a Six Month Renewal Option of a lease of 20,677 square feet of office, storage and datacenter space at One Market Plaza for the Department of Telecommunications and Information Services (DTIS).

(Real Estate Department)

9/17/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071362 [Petitions and Communications]

Petitions and Communications received from September 11, 2007 through September 17, 2007 for reference by the President to September 25, 2007

- 1) From Jim Tatarazuk regarding the Transbay Terminal
- 2) From Peter Warfield regarding the Sunshine Ordinance Task Force (4 letters received)
- 3) From Kimo Crossman concerning the Federal Rules of Civil Procedure
- 4) From Francisco Da Costa concerning Dust Mitigation at Parcel A
- 5) From Alex Austin agreeing to a continuance of an appeal concerning 1166 Haight (file#070967)
- 6) From various citizens opposing the establishment of a Starbucks at 4th and Geary (21 letters received) (file #070131)
- 7) From the US Department of Transportation regarding Freedom of Information Act Request, Control # 2004-009884WP Reference No 20040203-008.
- 8) From Department of Telecommunications & Information Services regarding Shot Spotter funding
- 9) From Park Merced Residents Organization regarding SFSU Master Plan Draft EIR
- 10) From Mike Gilbrade regarding Sharp Park Golf Course
- 11) From various citizens regarding the Blue Angels (4 letter received) (file #071232)
- 12) From Cassady Foster concerning CitiApartments
- 13) From Howard Cabner regarding the California Pacific Medical Center Neurosciences Institute at the Davies Campus
- 14) From Francisco Da Costa concerning Nancy Pelosi's visit to Evan Street Clinic
- 15) From Francisco Da Costa regarding Mayor Newsom
- 16) From Dr. Ahimsa Porter Sumchai regarding access to a health center
- 17) From Lee Mentley concerning the Bush Administration
- 18) From Francisco Da Costa regarding Susan Leal
- 19) From Jonathan Romano regarding the Kaiser Permanente Thrive Model
- 20) From Parviz Karim-Pahahi regarding various legal proceedings
- 21) From the San Francisco Public Utilities Commission in response to Supervisor Alioto-Pier's request, reference #20070710-002
- 22) From Patrick Monette-Shaw concerning Mayor Newsom
- 23) From Francisco Da Costa regarding festivities at the Bayview Opera House
- 24) From the San Francisco Office of the Controller submitting Fiscal Year 2007-2008 departmental budget certifications

- 25) From the San Francisco Department of Human Resources regarding Human Rights Commission Waiver Request Forms
- 26) From the Southeast Community Facility Commission regarding Chapter 12Y of the Administrative Code, the "Slavery Disclosure Ordinance."
- 27) From Eula Walters concerning the Korean Monument
- 28) From The American Legion Alexander Hamilton Post 448 concerning building conditions
- 29) From Kim Malcheski concerning the CEQA filed for 700 Valencia St. (file #071248)
- 30) From Jennifer Gordon regarding the Williams turbines
- 31) From Ahimsa Porter Sunchai concerning the Disaster Council
- 32) From Carl Glover regarding several issues
- 33) From the San Francisco Office of the Treasurer concerning various investment portfolios
- 34) From Department of Public Works, regarding Board of Supervisors Inquiry #20070807-005.
- 35) From Department of Public Works, regarding Board of Supervisors Inquiry #20070807-002.
- 36) From Department of Public Works, regarding Board of Supervisors Inquiry #20070807-007.
- 37) From Department of Public Works, regarding Board of Supervisors Inquiry #20070807-006.
- 38) From Department of Public Works, regarding Board of Supervisors Inquiry #20070814-004.
- 39) From Department of Public Works, regarding Board of Supervisors Inquiry #20070814-005.
- 40) From Department of Public Works, regarding Board of Supervisors Inquiry #20070814-003.
- 41) From Scott Oswald regarding the Mayor's Office of Neighborhood Services
- 42) From the Office of Legislative Analyst, submitting the Office of Legislative Analyst report Elected Officials' Code of Conduct Report (OLA No. 030-07)
- 43) From Clerk of the Board, submitting Form 700 Statement of Economic Interests from: Jonathan Lau
- 44) The California State Board of Equalization submitting notice of Summons to a State Board of Equalization Meeting
- 45) From the Mario Lombardo concerning US Marine recruiting film on the Golden Gate Bridge
- 46) From the San Francisco Police Department regarding police services in the Marina and Cow Hollow
- 47) From the San Francisco Office of the Controller submitting notice of authorization for the San Francisco Finance Corporation to Issue Lease Revenue Bonds, Series 2008A
- 48) From Round the Diamond submitting notice of a Special Meeting

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised September 20, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.	071331	City Operations and Neighborhood Services Committee	Supervisor Alioto-Pier	9/18/07	10/18/07
Ordinance adding Section 95.2 to the Administrative Code authorizing the County Clerk to issue municipal identification cards upon request to residents of the City and County of San Francisco.	071333	Rules Committee	Supervisor Ammiano	9/18/07	10/18/07
Ordinance amending the Planning Code to amend Section 303 to require a conditional use authorization for any new construction that would shade a registered solar energy system, as defined, and provide for the registration of existing and new solar energy systems; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.	071338	Land Use and Economic Development Committee	Supervisor Mirkarimi	9/18/07	10/18/07
Ordinance repealing the S.F. Building Code in its entirety and replacing that code with a new 2007 San Francisco Building Code consisting of the 2007 California Building Code, which is based upon the 2006 International Building Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and	071274	Land Use and Economic Development Committee	Building Inspection Department	9/18/07	10/18/07

directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.					
Ordinance repealing the S. F. Electrical Code in its entirety and replacing that code with a new 2007 S.F. Electrical Code consisting of the 2007 California Electrical Code, which is based upon the 2005 National Electrical Code, together with the S.F. amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.	071275	Land Use and Economic Development Committee	Building Inspection Department	9/18/07	10/18/07
Ordinance repealing the S.F. Housing Code in its entirety and replacing that code with a new 2007 San Francisco Housing Code to conform to the new numbering system of the 2007 California Building Code and to re-enact San Francisco's local amendments to the State Housing Code with minor changes; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission; and making environmental findings.	071276	Land Use and Economic Development Committee	Building Inspection Department	9/18/07	10/18/07
Ordinance repealing the S. F. Mechanical Code in its entirety and replacing that code with a new 2007 San Francisco Mechanical Code consisting of the 2007 California Mechanical Code, which is based upon the 2006 Uniform Mechanical Code, together with the San Francisco amendments;	071277	Land Use and Economic Development Committee	Building Inspection Department	9/18/07	10/18/07

adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.					
Ordinance repealing the S. F. Plumbing Code in its entirety and replacing that code with a new 2007 San Francisco Plumbing Code consisting of the 2007 California Plumbing Code, which is based upon the 2006 Uniform Plumbing Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.	071278	Land Use and Economic Development Committee	Building Inspection Department	9/18/07	10/18/07
Ordinance amending the Campaign and Governmental Conduct Code by amending section 1.161 and repealing section 1.162 to require persons making independent expenditures to pay for mass mailings that support or oppose candidates for City elective office to file those mailings and itemizations of costs with the Ethics Commission.	071290	Rules Committee	Supervisor Daly	9/11/07	10/11/07
Ordinance amending Planning Code by amending subsection 260(b) by adding subsection 260(b)(1)(A)(i) to allow mechanical equipment and screening changes that do not exceed three additional feet in height and do not contain new occupiable floor space in any C-3-G Zoning District; and adopting findings.	071291	Land Use and Economic Development Committee	Supervisor Daly	9/11/07	10/11/07

Ordinance amending the Planning Code by repealing Section 825.1 and amending Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment	071292	Land Use and Economic Development Committee	Supervisor Daly	9/11/07	10/11/07
Ordinance amending the SF Environment Code by adding Chapter 9, Sections 900 through 908, to establish City greenhouse gas emissions targets and departmental action plans, for the DOE to coordinate these efforts and make findings.	071294	City Operations and Neighborhood Services Committee	Supervisor Mirkarimi	9/11/07	10/11/07
Ordinance amending the S. F. Fire Code by amending Section 9001.1.4 to exempt certain high-rise structures having a fire-safe elevator from requirements for a self-contained breathing air replenishment system; amending the San Francisco Fire Code by adding Section 9001.15 to change local building standards to require that certain high-rise structures include an elevator safe for Fire Department use under fire conditions; making findings as to local conditions pursuant to California Health and Safety Code Section 17958.7; and making environmental findings.	071301	Land Use and Economic Development Committee	Supervisor Peskin	9/11/07	10/11/07
Ordinance repealing the S. F. Fire Code in its entirety and replacing that code with a new 2007 San Francisco Fire Code consisting of the 2007 California Fire Code and portions of the 2006 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments	071257	Land Use and Economic Development Committee	Fire Department	9/11/07	10/11/07

to the California Building
Standards Commission and
State Fire Marshal; and
making environmental
findings.

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 2, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFFY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Duffy

City and School District Select Committee

Supervisors Duffy, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Duffy

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursdays
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for September 11, 2007.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Duffy

1. 071178 [Settlement of complaint by PG&E before the Federal Energy Regulatory Commission and approval of an Amended Interconnection Agreement with PG&E]
Supervisor Peskin
Ordinance authorizing settlement of proceedings before the Federal Energy Regulatory Commission in FERC Dockets No. ER05-1190-000, et al, initiated by Pacific Gas & Electric Company to terminate the 1987 Interconnection Agreement between the City and PG&E; and approving an Amended Interconnection Agreement between the City and PG&E which provides for continued delivery of electricity to City facilities, among other things.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammiano, Duffy

2. 071230 [Grant of Federal Funds - Municipal Transportation Agency]
Supervisor Sandoval
Resolution authorizing the Municipal Transportation Agency to accept and expend \$1,690,546 of Lifeline Transportation Program (LTP) Funds for maintenance of the Municipal Railway's #108 Line between San Francisco and Treasure Island, expansion of MUNI's #29-Sunset Line service, and expansion of MUNI's Lifeline Fast Pass Distribution program, excluding Citywide indirect costs. (Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

3. 071297 [Grant funds to support comprehensive drug court implementation]
Supervisor Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$287,177 from the California Department of Alcohol and Drug Programs (DADP) to plan and implement a dependency drug court that works across city departments; for the period of July 1, 2007 to December 31, 2007.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

4. 071149 [Planning Code-Amending Article 11 Designation of 225-227 Front Street]
Supervisor Peskin
Ordinance amending the designation of 225-227 Front Street (Assessor's Block 0237, Lot 005) from Category V (Unrated) to Category IV (Contributory) under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(Planning Department)

9/25/2007, PASSED ON FIRST READING. Supervisor Peskin requested to be added as sponsor.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

5. 071237 [Settlement of Lawsuit - Pacific Bell Telephone Company]
Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$94,000.00; the lawsuit was filed on October 25, 2006 in San Francisco County Superior Court, Case No. 457-327; entitled Pacific Bell Telephone Company v. City and County of San Francisco.
(City Attorney)
6. 071238 [Settlement of Lawsuit - Jane Martin, et al. (Order Sons of Italy) v. CCSF]
Ordinance authorizing settlement of the portion of the lawsuit filed by Order Sons of Italy in America Grand Lodge of the Golden West Corporation against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

9/25/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

7. 071246 [Settlement of Lawsuit - Theodore Tarver, Jr. (Kathryn Cox) v. CCSF]
Ordinance authorizing settlement of an award of attorney's fees to attorney Kathryn Cox for \$162,941 against the City and County of San Francisco; the underlying lawsuit was filed on July 19, 2002 in San Francisco Superior Court, Case No. 410499 entitled Theodore Tarver, Jr. v. City and County of San Francisco.
(City Attorney)

9/25/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

8. 071252 [Settlement of City's Lawsuit Against Aquila, Inc. and Aquila Merchant Services, Inc.]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides \$1,500,000 from defendants Aquila, Inc. and Aquila Merchant Services, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants.
(City Attorney)

9/25/2007, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

9. 071253 [Settlement of City's Lawsuit Against Enserco Energy, Inc.]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides \$750,000 from defendant Enserco Energy, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants.
(City Attorney)

9/25/2007, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

10. 071256 [Settlement of City Claim Against PG&E]
Ordinance approving the settlement of a claim asserted by the City and County of San Francisco against Pacific Gas & Electric Company in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM.
(City Attorney)

9/25/2007, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

11. 071379 [Adopting findings related to the reversal of the approval of the mitigated negative declaration issued by the Planning Commission for 601 Duboce Avenue Project]
Motion adopting findings related to the reversal of the approval of the mitigated negative declaration issued by the Planning Commission for the 601 Duboce Avenue Project.

6/28/2007, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors McGoldrick, Alioto-Pier, Jew

12. 071258 [Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program]
Supervisors McGoldrick, Maxwell, Mirkarimi
Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

9/18/2007, CONTINUED. Continued to October 2, 2007

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

13. 071233 [Penalty for Removing Chalk Marks]
Ordinance amending San Francisco Traffic Code Sections 21 and 132 to impose a penalty for removing chalk marks of one hundred (\$100) dollars for any violation and to make minor changes to clarify the parking restriction.
(Municipal Transportation Agency)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

14. 071335 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Continuity Report - Have City Agencies Done What They Said They Would Do After the Civil Grand Jury of 2005-2006 Issued Its Reports?"]
Supervisor Elsbernd
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Continuity Report - Have City Agencies Done What They Said They Would Do After the Civil Grand Jury of 2005-2006 Issued Its Reports?".

Question: Shall this Resolution be ADOPTED?

15. 071336 [Board response to the 2006-2007 Civil Grand Jury Report entitled "The Entertainment Commission: A Work in Progress"]
Supervisor Elsbernd
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "The Entertainment Commission: A Work in Progress".

Question: Shall this Resolution be ADOPTED?

16. 071337 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Preparing for a Disaster: Administrative Commitment and Appropriate Funding in the Department of Emergency Management and the Department of Public Health"]
Supervisor Elsbernd
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Preparing for a Disaster: Administrative Commitment and Appropriate Funding in the Department of Emergency Management and the Department of Public Health".

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present Supervisors Ammiano, Elsbernd, Peskin

17. 071181 [Eddie Fung Day - November 10, 2007]
Supervisor Peskin
Resolution declaring November 10, 2007 as Eddie Fung Day in San Francisco.

8/14/2007, REFERRED to Rules Committee
Question: Shall this Resolution be ADOPTED?
18. 071185 [Condemning defamatory language used by radio personality Michael Savage against the immigrant community]
Supervisors Sandoval, Ammiano
Resolution condemning defamatory language used by radio personality Michael Savage against the immigrant community.

8/14/2007, REFERRED to Rules Committee.
Question: Shall this Resolution be ADOPTED?
19. 071312 [Confirmation of Human Resources Director]
Mayor
Motion confirming appointment of Micki Callahan as Human Resources Director.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

20. 070910

[Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

21. 070911 [Affirming the categorical exemption issued for the 3424 Jackson Street project]
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED Continued to September 18, 2007
9/18/2007, CONTINUED Continued to October 2, 2007
Question: Shall this Motion be APPROVED?
22. 070912 [Disapproving the categorical exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED Continued to September 18, 2007
9/18/2007, CONTINUED Continued to October 2, 2007
Question: Shall this Motion be APPROVED?
23. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED Continued to September 18, 2007
9/18/2007, CONTINUED Continued to October 2, 2007
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**24. 071265 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2721 Pierce Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007, Case No. 2006.1415D, (Building Permit Application No. 2006.07.03.5586) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The proposal consists of adding two windows on the facade, removing a rear sun porch and adding a two-story rear addition at 2721 Pierce Street, Lot 006 in Assessor's Block 0560. (Appellants: Susan Brandt-Hawley on behalf of Judge Carlos Bea and Louise Bea)
(Filed August 31, 2007; Companion Files to 071266, 071267, 071268; District 2.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)**25. 071266 [Affirming the categorical exemption issued for 2721 Pierce Street]**

Motion affirming the determination by the Planning Department that the 2721 Pierce Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

26. 071267 [Disapproving the categorical exemption issued for 2721 Pierce Street]

Motion disapproving the determination by the Planning Department that the 2721 Pierce Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

27. 071268 [Preparation of findings related to the 2721 Pierce Street Project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2721 Pierce Street is exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

28. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

29. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee.

Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 30 through 32

30. 071380 [Approval of a six month extension for Planning Commission review of the Laguna, Haight, Buchanan and Hermann Streets Special Use District Ordinance and Zoning Map Amendments] Supervisor Ammiano

Resolution extending by 6 months the prescribed time within which the Planning Commission may render its decision on two proposed Ordinances that would create the Laguna, Haight, Buchanan and Hermann Streets Special Use District and amend Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Blocks 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District) or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

9/25/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 071382 [Approval of a 90 day extension for Planning Commission review in order to complete an addendum to an associated environmental impact report]
Supervisor Mirkarimi
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Sectional Map 2 of the Zoning Map of the City and County of San Francisco to a date within two weeks of the environmental review hearing for the same action. The proposed Ordinance would specifically change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

9/25/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 071383 [Local support for Divisadero Streetscape Project]
Supervisor Mirkarimi
Resolution authorizing local support for the Divisadero Streetscape Project, designating DPW as the eligible sponsor for funding related to this project, and taking other official acts in furtherance of this project.

9/25/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

33. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 18, 2007 through September 24, 2007, for reference by President to appropriate committee on October 2, 2007.

071350 [Settlement of Lawsuit - Elfie Jansel]

Ordinance authorizing settlement of the lawsuit filed by Elfie Jansel against the City and County of San Francisco for \$98,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. CGC06-452649; entitled Elfie Jansel v. City and County of San Francisco, et al. (City Attorney)

9/19/2007, RECEIVED AND ASSIGNED to Rules Committee.

071351 [Settlement of Lawsuit - Marie Doe]

Ordinance authorizing settlement of the lawsuit filed by Marie Doe against the City and County of San Francisco for \$35,000; the lawsuit was filed on November 18, 2004 in United States District Court, Case No. C04-4914 MJJ; entitled Marie Doe, et al. v. City and County of San Francisco, et al. (City Attorney)

9/19/2007, RECEIVED AND ASSIGNED to Rules Committee.

071364 [Transit Shelter Advertising Agreement]

Ordinance approving Transit Shelter Advertising Agreement between the City and County of San Francisco and Clear Channel Outdoor Inc. (Municipal Transportation Agency)

9/24/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071281 [Procurement of Construction Management and General Contractor services for the new Public Utilities Commission administrative building at 525 Golden Gate]

Ordinance approving an Integrated Project Delivery Plan for the early procurement of a Construction Manager/General Contractor for the new Public Utilities Commission administrative building at 525 Golden Gate Avenue and modifying the competitive bid requirements of Administrative Code Chapter 6 to authorize an alternative competitive process based on experience, qualifications, and price. (Public Utilities Commission)

9/10/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

9/24/2007, SUBSTITUTED: San Francisco Public Utilities Commission submitted a substitute ordinance bearing new title.

9/24/2007, ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTION

Proposed resolution received from September 18, 2007 through September 24, 2007, for reference by President to appropriate committee on October 2, 2007.

- 071365 [Proposition J: Contracting Out Transit Shelter Advertising and Maintenance Services]**
Resolution concurring with the Controller's determination that it is more economical for the San Francisco Municipal Transportation Agency to contract for transit shelter advertising and maintenance services than to provide the same services with City employees for Fiscal Year 2007-08.

9/24/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071396 [Petitions and Communications]

Petitions and Communications received from September 18, 2007 through September 24, 2007 for reference by the President to October 2, 2007

From Office of the Controller-City Services Auditor, submitting report on strengthened program management required for branch library improvement program to avoid further budget increases. (1)

From Planning Department, submitting status on inquiry regarding the Planning Department not addressing the concerns of the community with respect to the Eastern Neighborhoods plan. (Reference 20070911-016) (2)

From AGM for Hetch Hetchy Water and Power, submitting request for waiver of Administrative Code 12B and 12C for North American Hydro. (3)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code 12B for San Francisco Marriott. (4)

From Department of Elections, regarding certification for proposed amendment charter of San Francisco Police Department: Initiative Charter. (5)

From CA Department of Health Care Services, regarding Child Health and Disability Prevention (CHPD) Program plan and administrative budgets approval for fiscal year 2007-2008. (6)

From concerned citizens, commenting on the Categorical Exemption appeal for the project at 15th Avenue and Wawona Streets. File 071037, Copy: Each Supervisor, 5 letters (7)

From Gladstone & Associates, regarding continuance request for Categorical Exemption appeal hearing for 2721 Pierce Street. File 071265, Copy: Each Supervisor, City Attorney (8)

From San Francisco Living Wage Coalition, submitting support for the proposed ordinance to create a municipal ID card for San Francisco. File 071333 (9)

From Secretary of State of California, regarding request from Elections Systems & Software (ES&S) to administratively re-certify the ES&S voting system used to conduct Ranked Choice Voting (RCV) elections in San Francisco. Copy: Each Supervisor (10)

From Farella, Braun & Martel LLP, regarding the landmark designation of Richardson Hall, Woods Hall and Woods Hall Annex. File 071082 (11)

From Mirra Escobar, regarding the San Francisco Housing Authority and neglected senior and disabled developments, 2 letters (12)

From concerned citizens, commenting on Lennar BVHP LLC. 2 letters (13)

From Jonathan Speed, submitting copy of online petition submitting support for the Blue Angels flyovers during Fleet Week. File 071232, Copy: Each Supervisor, 219 signatures (14)

From Women's International League for Peace and Freedom, submitting resolution proclaiming October 11, 2007 as Eleanor Roosevelt Day in San Francisco. File 071305, Copy: Each Supervisor (15)

From concerned citizens, commenting on military air shows during Fleet Week in San Francisco. File 071232, Copy: Each Supervisor, 2 letters (16)

From Trudy May, commenting on the conditions of Camp Mather. (17)

From Matt Klein, commenting on a plan by the Municipal Transportation Agency to allow Clear Channel Outdoor to sell advertising on bus shelters. (18)

From Municipal Transportation Agency, regarding status on signal timing of the northbound Portola Avenue left-turn onto westbound Laguna Honda Boulevard. (Reference 20070717-001) (19)

From concerned citizens, commenting on several issues regarding Supervisor Ed Jew. 3 letters (20)

From concerned citizens, submitting opposition to the permit application for the Happy Days Herbal Relief Medical Cannabis Dispensary at 607 Divisadero Street. 5 letters (21)

From concerned citizens, submitting support for the Conditional Use Appeal for the CPMC Davies Medical Office Building project at 601 Duboce Avenue. File 071024, Copy: Each Supervisor, 3 letters (22)

From concerned citizens, submitting opposition to the proposed Municipal Identification cards for illegal immigrants. File 071333, Copy: Each Supervisor, 5 letters (23)

From Department of Elections, regarding petition for the recall of Supervisor Jake McGoldrick, District 1. (24)

From Jackson Handmacher, MD, commenting on issues with San Francisco being a sanctuary City for illegal aliens. (25)

From Dr. Ahimsa Porter Sumchai, commenting on Mayor Newsom's statement regarding Centers for Disease Control report on Hunters Point Shipyard dust issues. 2 letters (26)

From Francisco Da Costa, commenting on Mint Plaza at 5th and Market Street. (27)

From Doris Flaherty, submitting support for the proposed interim zoning controls requiring conditional use authorizations for new development in the Bernal Heights/Joy neighborhood. Supervisor Ammiano (28)

From James Chaffee, commenting on the Office of the Controller's report assessing the budget increases in the Branch Library Improvements Program. (29)

From FAB Events, regarding planning an event in San Francisco. (30)

From Carl Macmurdo, commenting on ballot measure Proposition A. Copy: Each Supervisor (31)

From Elizabeth Bell, commenting on electronic vote count. (32)

From Divinity Tree Wellness Cooperative, commenting on the Church Street Medical Cannabis Dispensary and the current ADA amendment regarding equivalent facilitation. File 070667, Copy: Each Supervisor (33)

From Eric Brooks, commenting on the September 11, 2007 SFPUC hearing on the proliferation of CH2M Hill. (34)

From concerned citizens, commenting on Mayor Newsom's request for letters of resignation from City departments. 2 letters (35)

From Emile Lawrence, commenting on the civil service system in San Francisco. (36)

From Designing Accessible Communities, regarding destination elevator systems. (37)

From Matt Dorsey, regarding civil gang injunctions being considered in San Francisco. (38)

From Elizabeth Ferro, urging the Board to assist with obtaining affordable housing for her mother. Copy: Supervisor Peskin * (39)

From Hannah Lee, urging the Board to support the proposed Wi-Fi agreement with Google and Earthlink. (40)

From Francisco Da Costa, commenting on the San Francisco Board of Education. 2 copies (41)

From Betty Chopoff, commenting on the graffiti problem in San Francisco neighborhoods. (42)

From FAB Events, submitting copy of response to Supervisor Peskin regarding an event planned to be held in San Francisco. (43)

From Sara MacPherson, commenting on the renovations of the Children's Playground in Golden Gate Park. Copy: Each Supervisor (44)

From Mario T. Martinez, submitting support for Supervisor Ed Jew. (45)

From Charles Johnson, regarding the San Francisco Film Commission. (46)

From Adam Groff, commenting on the City refusing to allow the US Marine Corp to film a recruitment commercial on California Street and on the Golden Gate Bridge. Copy: Each Supervisor (47)

From Anita Salanis, commenting on the need for better district integration, zoning and planning. (48)

From Brue Allison, commenting on independent recyclers. (49)

From Scott Cornelius, commenting on several resolutions introduced by the Board of Supervisors. (50)

From Emily Wallace, commenting on Buena Vista Park. (51)

From John H., commenting on several resolutions. (52)

From Keith Robert King, commenting on several issues. File 070156 (53)

From Robert Matthew, commenting on the impact of the Bay Bridge closure. (54)

From Egan Sanders, commenting on plastic shopping bags. (55)

From Sally Lasan, commenting on the Educational Placement Center. (56)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised September 27, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Draft Ordinance amending Police Code by adding Section 1137.1, to: increase the gate fee that may be charged by "full-service" taxicab companies, as defined in the ordinance, from \$91.50, as authorized by Board Resolution No. 605-06, to \$110; establish an expiration date; and, make the increase retroactive to January 1, 2003.	071371	Government Audit and Oversight Committee	Supervisor Alioto-Pier	9/25/07	10/25/07
Ordinance amending Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.	071331	City Operations and Neighborhood Services Committee	Supervisor Alioto-Pier	9/18/07	10/18/07
Ordinance adding Section 95.2 to the Administrative Code authorizing the County Clerk to issue municipal identification cards upon request to residents of the City and County of San Francisco.	071333	Rules Committee	Supervisor Ammiano	9/18/07	10/18/07
Ordinance amending the Planning Code to amend Section 303 to require a conditional use authorization for any new construction that would shade a registered solar energy system, as defined, and provide for the registration of existing and new solar energy systems; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.	071338	Land Use and Economic Development Committee	Supervisor Mirkarimi	9/18/07	10/18/07

Ordinance repealing the S.F. Building Code in its entirety and replacing that code with a new 2007 San Francisco Building Code consisting of the 2007 California Building Code, which is based upon the 2006 International Building Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission, and making environmental findings	071274	Land Use and Economic Development Committee	Building Inspection Department	9/18/07	10/18/07
Ordinance repealing the S.F. Electrical Code in its entirety and replacing that code with a new 2007 S.F. Electrical Code consisting of the 2007 California Electrical Code, which is based upon the 2005 National Electrical Code, together with the S.F. amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.	071275	Land Use and Economic Development Committee	Building Inspection Department	9/18/07	10/18/07
Ordinance repealing the S.F. Housing Code in its entirety and replacing that code with a new 2007 San Francisco Housing Code to conform to the new numbering system of the 2007 California Building Code and to re-enact San Francisco's local amendments to the State Housing Code with minor changes; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building	071276	Land Use and Economic Development Committee	Building Inspection Department	9/18/07	10/18/07

Standards Commission; and making environmental findings.					
Ordinance repealing the S. F. Mechanical Code in its entirety and replacing that code with a new 2007 San Francisco Mechanical Code consisting of the 2007 California Mechanical Code, which is based upon the 2006 Uniform Mechanical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.	071277	Land Use and Economic Development Committee	Building Inspection Department	9/18/07	10/18/07
Ordinance repealing the S. F. Plumbing Code in its entirety and replacing that code with a new 2007 San Francisco Plumbing Code consisting of the 2007 California Plumbing Code, which is based upon the 2006 Uniform Plumbing Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.	071278	Land Use and Economic Development Committee	Building Inspection Department	9/18/07	10/18/07
Ordinance amending the Campaign and Governmental Conduct Code by amending section 1.161 and repealing section 1.162 to require persons making independent expenditures to pay for mass mailings that support or oppose candidates for City	071290	Rules Committee	Supervisor Daly	9/11/07	10/11/07

elective office to file those findings and recommendations of course with the Library Commission					
Ordinance amending Planning Code by amending subsection 260(k) by adding subsection 260(k)(1)(A)(i) to allow mechanical equipment and screening changes that do not exceed three additional feet in height and do not contain new occupiable floor space in any C-3-G Zoning District, and adopting findings	071291	Land Use and Economic Development Committee	Supervisor Daly	9/11/07	10/11/07
Ordinance amending the Planning Code by repealing Section 825.1 and amending Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.	071292	Land Use and Economic Development Committee	Supervisor Daly	9/11/07	10/11/07
Ordinance amending the SF Environment Code by adding Chapter 9, Sections 900 through 908, to establish City greenhouse gas emissions targets and departmental action plans, for the DOE to coordinate these efforts and make findings.	071294	City Operations and Neighborhood Services Committee	Supervisor Mirkarimi	9/11/07	10/11/07
Ordinance amending the S. F. Fire Code by amending Section 9001.1.4 to exempt certain high-rise structures having a fire-safe elevator from requirements for a self-contained breathing air replenishment system; amending the San Francisco Fire Code by adding Section 9001.15 to change local building standards to require that certain high-rise structures include an elevator safe for Fire Department use under fire conditions; making findings as to local conditions pursuant to California Health and Safety Code Section	071301	Land Use and Economic Development Committee	Supervisor Peskin	9/11/07	10/11/07

17958.7; and making environmental findings.					
Ordinance repealing the S. F. Fire Code in its entirety and replacing that code with a new 2007 San Francisco Fire Code consisting of the 2007 California Fire Code and portions of the 2006 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings.	071257	Land Use and Economic Development Committee	Fire Department	9/11/07	10/11/07



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

City and County of San Francisco NOTICE OF PUBLIC HEARING Board of Supervisors

General Notice

Transmitted: 09-21-2007

A public hearing will be held on 10/02/2007, at 4:00 p.m., or as soon as possible after this time, at Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the listed file to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102.

**071265 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2721
Pierce Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007, Case No. 2006.1415D, (Building Permit Application No. 2006.07.03.5586) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The proposal consists of adding two windows on the facade, removing a rear sun porch and adding a two-story rear addition at 2721 Pierce Street, Lot 006 in Assessor's Block 0560. (Appellants: Susan Brandt-Hawley on behalf of Judge Carlos Bea and Louise Bea).

Angela Calvillo, Clerk of the Board

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 16, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursdays
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sofff@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for September 18, 2007.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition 1 in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5**Recommendations of the Budget and Finance Committee**

Present: Supervisors Peskin, Ammiano, Duffy

1. 071178 [Settlement of complaint by PG&E before the Federal Energy Regulatory Commission and approval of an Amended Interconnection Agreement with PG&E]

Supervisor Peskin

Ordinance authorizing settlement of proceedings before the Federal Energy Regulatory Commission in FERC Dockets No. ER05-1190-000, et al, initiated by Pacific Gas & Electric Company to terminate the 1987 Interconnection Agreement between the City and PG&E; and approving an Amended Interconnection Agreement between the City and PG&E which provides for continued delivery of electricity to City facilities, among other things.

10/2/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 071233 [Penalty for Removing Chalk Marks]

Supervisor McGoldrick

Ordinance amending San Francisco Traffic Code Sections 21 and 132 to impose a penalty for removing chalk marks of one hundred (\$100) dollars for any violation and to make minor changes to clarify the parking restriction.

(Municipal Transportation Agency)

10/2/2007, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as a sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Elsbernd, Peskin

3. 071350 [Settlement of Lawsuit - Elfie Jansel]

Ordinance authorizing settlement of the lawsuit filed by Elfie Jansel against the City and County of San Francisco for \$98,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. CGC06-452649; entitled Elfie Jansel v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 071351 [Settlement of Lawsuit - Marie Doe]
Ordinance authorizing settlement of the lawsuit filed by Marie Doe against the City and County of San Francisco for \$35,000; the lawsuit was filed on November 18, 2004 in United States District Court, Case No. C04-4914 MJJ; entitled Marie Doe, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Elsbernd, Peskin

5. 071318 [Appointment - Peak Oil Preparedness Task Force]
Resolution appointing Jeanne-Marie Rosenmeier, Carl Duisberg, Bernard Meyerson and Jan Lundberg to the Peak Oil Preparedness Task Force, terms ending October 5, 2008, residency requirement waived.
Jeanne-Marie Rosenmeier, new appointment, seat 1, must represent the public at large, for a one-year term ending October 5, 2008.
Carl Duisberg (residency requirement waived), new appointment, seat 2, must represent the public at large, for a one-year term ending October 5, 2008.
Bernard Meyerson, new appointment, seat 3, must represent the public at large, for a one-year term ending October 5, 2008.
Jan Lundberg, new appointment, seat 4, must represent the public at large, for a one-year term ending October 5, 2008.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

6. 071397 [Adopting findings related to affirming the categorical exemption issued for 317 Cortland Street]
Motion adopting findings related to affirming the determination by the Planning Department that the 317 Cortland Street project is categorically exempt from environmental review under the California Environmental Quality Act.

10/3/2007, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?
7. 071410 [Adopting findings related to disapproving the categorical exemption issued for 445 Wawona Street]
Motion adopting findings related to disapproving the determination by the Planning Department that the 445 Wawona Street project is categorically exempt from environmental review under the California Environmental Quality Act.

10/3/2007, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Peskin, Ammiano, Duffy

8. 071231 [Lease of Real Property at 1390 Market Street]
Mayor
Resolution authorizing the lease of 6,029 square feet of space in the building located at 1390 Market Street for the Office of Labor Standards Enforcement.
(Fiscal Impact.)

9/25/2007, CONTINUED. Ayes: 5 - Alioto-Pier, Chu, Duffy, Elsbernd, Peskin
Noes: 5 - Ammiano, Daly, Maxwell, Mirkarimi, Sandoval
Excused: - McGoldrick

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to rescind the previous vote and to continued this matter to October 16, 2007.
Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Duffy, McGoldrick

9. 070961 [Recreation and Park Commission--Authorization to Modify Golf Course Hours and Fees; Creation of Golf Course Task Force]
Ordinance adding Section 12.46 to Article 12 of the San Francisco Park Code to authorize the Recreation and Park Commission to modify golf course hours and fees; and to create a Golf Course Task Force that will evaluate measures to reduce General Fund support for operation and maintenance of golf courses, and explore alternative revenue sources.
(No Economic Impact) -
- 8/14/2007, AMENDED. Supervisor Duffy dissented in Committee.
8/14/2007, CONTINUED AS AMENDED. Continued to October 16, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?
10. 071128 [De-appropriating \$45,717 of General Fund and Appropriating \$45,717 for a Golf Course Task Force in the Department of Recreation and Park for Fiscal Year 2007-2008]
Supervisor McGoldrick
Ordinance de-appropriating \$45,717 for Golden Gate Park Stables in the Department of Recreation and Park, and appropriating \$45,717 for a half-time 1823 Senior Administrative Analyst position to staff a Golf Course Task Force in the Department of Recreation and Park for Fiscal Year 2007-2008.
(Supervisor Duffy dissented in committee.)
- 8/14/2007, CONTINUED. Continued to October 16, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?
11. 071129 [Public Employment - Recreation and Park Department]
Supervisor McGoldrick
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of one position (.37 FTE) Class 1823 - Senior Administrative Analyst in the Recreation and Park Department.
(Supervisor Duffy dissented in committee.)
- 8/14/2007, CONTINUED. Continued to October 16, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors McGoldrick, Alioto-Pier, Jew

12. 071258 [Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program]
Supervisors McGoldrick, Maxwell, Mirkarimi
Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.
- 9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 16, 2007
Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty

13. 071228 [Clean and Safe Neighborhood Parks General Obligation Bond Election]
Mayor, Supervisors Peskin, Elsbernd, Dufty
Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, February 5th 2008, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred and Eighty-Five Million Dollars (\$185,000,000) for the construction, reconstruction, purchase, and/or improvement of park, and recreation facilities within the City and County of San Francisco and all other structures, and improvements, and related costs necessary or convenient for the foregoing purposes and paying all other costs necessary and convenient for effectuating those purposes; authorizing landlords to pass-through fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that a portion of the proposed project is categorically exempt from the California Environmental Quality Act, and the remainder of the proposed project is excluded from the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 – 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 071281 [Procurement of Construction Management and General Contractor services for the new Public Utilities Commission administrative building at 525 Golden Gate]
Ordinance approving an Integrated Project Delivery Plan for the early procurement of a Construction Manager/General Contractor for the new Public Utilities Commission administrative building at 525 Golden Gate Avenue and modifying the competitive bid requirements of Administrative Code Chapter 6 to require an alternative competitive process based on experience, qualifications, and price. (Public Utilities Commission)

9/24/2007, SUBSTITUTED: San Francisco Public Utilities Commission submitted a substitute ordinance hearing new title

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 071300 [Approving Agreement with Northern California Joint Pole Association]
Supervisor Peskin
Ordinance approving an agreement between the City and County of San Francisco and the Northern California Joint Pole Association for a term potentially in excess of ten years and indemnifying the Northern California Joint Pole Association and its members from certain third-party claims for personal injury or property damage, and waiving certain requirements of the San Francisco Administrative Code with respect to the agreement.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 071375 [Public Employment - Department of Children Youth and their Families]
Supervisor Peskin
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of an 1823 Senior Administrative Analyst and the deletion of an 1822 Administrative Analyst in the Department of Children Youth and their Families.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 071280 [Sale of Surplus Real Property Located in the City of South San Francisco]
Resolution approving an Agreement For Sale of Real Estate between the City and County of San Francisco and The Redevelopment Agency of the City of South San Francisco pertaining to approximately 13.64 acres of land located in the vicinity of Chestnut Avenue and El Camino Real in the City of South San Francisco; adopting findings that the transaction is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

18. 071295 [Solar Power Projects Long Term Interconnection Agreements]
Supervisor Mirkarimi
Resolution authorizing the San Francisco Public Utilities Commission General Manager to enter into long term interconnection agreements for photovoltaic power plants projects on City buildings, pursuant to San Francisco Charter Section 9.118.

Question: Shall this Resolution be ADOPTED?

19. 071311 [Java House Café, LLC Lease]
Mayor
Resolution approving Port Commission Lease No. 14100 with Java House, LLC, a lease with a fifteen (15) year term for certain real property located at Pier 40½ in the City and County of San Francisco at rents starting at the higher of \$2,045.00 per month or 7.5% of tenant's gross revenues.

Question: Shall this Resolution be ADOPTED?

20. 071373 [HOPE SF Criteria and Procedures]
Supervisor Maxwell
Resolution approving criteria and procedures for allocating and expending HOPE SF Funds and authorizing expenditure of HOPE SF Funds consistent with the approved criteria and procedures.
- Question: Shall this Resolution be ADOPTED?
21. 071377 [Amendment to Budget Analyst contract to exercise two year option]
Supervisor Peskin
Motion approving exercising the final option set forth in the agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Associates LLC; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") to extend the term of the Agreement from January 1, 2008 through December 31, 2009. (Fiscal Impact.)
- Question: Shall this Motion be APPROVED?
22. 071378 [Request for Proposals process for Budget Analyst services]
Supervisor Peskin
Motion directing the Clerk of the Board to initiate a Request for Proposals process for Budget Analyst services.
- Question: Shall this Motion be APPROVED?
- Present: Supervisors Peskin, Duffy*
23. 071298 [Approval of Modification No. 6 to Lease and Use Agreement L-82-0134 with Alaska Airlines, Inc. at San Francisco International Airport]
Supervisor Duffy
Resolution approving and authorizing the execution of Modification No. 6 to the Lease and Use Agreement L-82-0134 with Alaska Airlines, Inc., to realign terminal space in Terminal 1 of San Francisco International Airport.
- Question: Shall this Resolution be ADOPTED?
24. 071310 [Approval of Addendum to Port Lease for Living Classroom at Heron's Head Park]
Supervisor Maxwell
Resolution approving an Addendum to Lease No. 13816 with Literacy for Environmental Justice for Construction, Maintenance, and Operation of a Living Classroom Building at Heron's Head Park.
- 9/18/2007, REFERRED to Budget and Finance Committee. Supervisor Peskin requested that this matter be referred to Committee.
- Question: Shall this Resolution be ADOPTED?

Present Supervisors Peskin, Ammiano

25. 071361 [Approval of Exercise of Renewal Option of Lease of Real Property at One Market Plaza]
Resolution approving the exercise of a Six Month Renewal Option of a lease of 20,677 square feet of office, storage and datacenter space at One Market Plaza for the Department of Telecommunications and Information Services (DTIS).
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

26. 071327 [Extending to September 30, 2008 the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy through which the Authority provides caretaker services at former Naval Station Treasure Island]
Resolution approving and authorizing the Treasure Island Development Authority to retroactively enter into a modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement from October 1, 2007 to September 30, 2008.
(Treasure Island Development Authority)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

27. 071344 [Master Agreement for State Aid Transportation Funds]
Mayor
Resolution approving the execution of a Master Agreement for State-Aid Projects between the City and County of San Francisco, through its Municipal Transportation Agency (for the Department of Parking and Traffic), and the California Department of Transportation.

Question: Shall this Resolution be ADOPTED?

28. 071169 [Workforce Development Audit]
Supervisor Ammiano
Motion concurring with the Budget Analyst's findings and recommendations as stated in the "Management Audit of San Francisco's Workforce Development Program".

Question: Shall this Motion be APPROVED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Ammiano, Duffy

29. 071296 [Appropriating \$200,000 of General Fund Reserve to General City Responsibility for Hurricane Relief in Nicaragua]
Supervisors Daly, Ammiano, Sandoval
Ordinance appropriating \$200,000 from the General Fund Reserve to General City Responsibility for hurricane relief in Nicaragua for Fiscal Year 2007-2008.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammiano, Duffy

30. 071364 [Transit Shelter Advertising Agreement]
Ordinance approving Transit Shelter Advertising Agreement between the City and County of San Francisco and Clear Channel Outdoor Inc.
(Municipal Transportation Agency)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 071365 [Proposition J: Contracting Out Transit Shelter Advertising and Maintenance Services]
Resolution concurring with the Controller's determination that it is more economical for the San Francisco Municipal Transportation Agency to contract for transit shelter advertising and maintenance services than to provide the same services with City employees for Fiscal Year 2007-08.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, McGoldrick, Ammiano

32. 070947 [Exempting Wind Turbines from Bernal Heights Special Use District Height Limits]
Supervisor Ammiano
Ordinance amending the San Francisco Planning Code by amending Section 242 (e)(1)(D) to allow certain wind power generators within the Bernal Heights Special Use District subject to height limitations set forth in Section 260(b)(1)(A), making environmental findings, general plan findings, and other required findings.

8/14/2007, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 071122 [Zoning - Interim zoning controls requiring conditional use authorization for new development in the Bernal Heights Brewster/Joy Neighborhood]
Supervisor Ammiano
Resolution approving interim zoning controls requiring conditional use authorization for new development in the Bernal Heights Brewster/Joy Neighborhood on the East Slope of Bernal Heights for 18 months, and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

34. 071093 [Urging the American Psychological Association to end its acquiescence in regard to participation of psychologists in interrogation of detainees in Iraq, Afghanistan and Guantanamo Bay]
Supervisor Ammiano
Resolution requesting that the American Psychological Association reconsider its stance regarding the participation of psychologists in interrogations of detainees by restricting the use of psychologists to providing therapeutic benefits in all sites where detainees are held without due process in violation of international human rights law.

7/31/2007, REFERRED to Rules Committee. Supervisor Alioto-Pier requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

35. 071307 [Iraq Moratorium]
Supervisors Ammiano, Daly
Resolution endorsing the Iraq Moratorium's demands to stop the war and bring the troops home.

9/18/2007, REFERRED to Rules Committee. Supervisor Jew requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

36. 071341 [Rules of Order - Material Economic Impact Legislation]
Supervisor Peskin
Motion amending Rule 6.25 of the Rules of Order of the Board to clarify its applicability to the Board proceedings and its inapplicability to determinations of material economic impact by the Office of Economic Analysis.

Question: Shall this Motion be APPROVED?

Present: Supervisors Elsbernd, Peskin

37. 071399 [Waiver permitting City Employees to assist the Department of Elections with the November 6, 2007 election]
Supervisor Peskin
Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 6, 2007 election.

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

38. 071302 [Amending the Board's Rules to require a Supervisor request an item be heard at committee prior to calling it to be heard at the Full Board]
Supervisor Peskin
Motion amending Rule 5.31 to the Board of Supervisors' Rules of Order, to require a Supervisor request a hearing at a Committee of the Board before calling an item to be heard before the full Board of Supervisors.

10/2/2007, SUBSTITUTED. Supervisor Peskin submitted a substitute motion bearing the same title.

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate.)

39. 071051 [Charter amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws]
Supervisor Alioto-Pier
Charter amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

Question: Shall this Charter Amendment be SUBMITTED?

Board of Supervisors Sitting as a Committee of the Whole

40. 071416 [Hearing - Establishing Board procedures for the official misconduct proceedings against Supervisor Edmund Jew]
Supervisor Sandoval
Hearing to consider the Clerk of the Board of Supervisors to advertise for outside counsel to represent the Board of Supervisors on the matter of the official misconduct charges filed against Supervisor Edmund Jew, setting forth the process of selecting said outside counsel, and requiring that all hearings before the Board of Supervisors regarding the official misconduct proceedings against Supervisor Jew occur in a Committee of the Whole of the Board of Supervisors.

(Pending approval of File 071415.)

Action: _____

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 3:30 P.M**

41. 070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)
(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

7/24/2007, CONTINUED. The President inquired as to whether any member of public wished to address the Board Members.
Continued to September 11, 2007

9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 16, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

42. 070968 [Minor Sidewalk Encroachment Permit Appeal]
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

7/24/2007, CONTINUED. Continued to September 11, 2007
9/11/2007, CONTINUED. Continued to October 16, 2007
Question: Shall this Motion be APPROVED?
43. 070969 [Minor Sidewalk Encroachment Permit Appeal]
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

7/24/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to October 16, 2007

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, October 15, 2007 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 16, 2007.

**44. 071158 [Approving General Plan Amendments Related to Market & Octavia Area Plan]
Supervisor Mirkarimi**

Ordinance amending the San Francisco General Plan by adding a new area plan entitled the Market & Octavia Area Plan, and approving General Plan amendments to implement the Market and Octavia Neighborhood Plan by amending the Commerce and Industry, Housing, Recreation and Open Space and Transportation Elements, the Civic Center Area Plan, Downtown Area Plan, South of Market Area Plan, and the Land Use Index; providing the ordinance shall not be effective until the effective date of an additional affordable housing program for the Market and Octavia area plan to be adopted by the Board of Supervisors; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

8/13/07 - Economic Impact.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

46. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee.

Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 47 through 52

47. 071415 [Committee of the Whole on October 16, 2007 - Establishing Board procedures for the official misconduct proceedings against Supervisor Edmund Jew]
Supervisor Sandoval
Motion directing the Clerk of the Board of Supervisors to advertise for outside counsel to represent the Board of Supervisors on the matter of the official misconduct charges filed against Supervisor Edmund Jew, setting forth the process of selecting said outside counsel, and requiring that all hearings before the Board of Supervisors regarding the official misconduct proceedings against Supervisor Jew occur in a Committee of the Whole of the Board of Supervisors.
- 10/10/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
48. 071404 [Urging issuance of a Request for Proposals for an Open Source Voting System for the November 4, 2008 General Election]
Supervisor Daly
Resolution endorsing the use of Open Source software in voting systems for the City and County of San Francisco and urging the Mayor to urge the Director of Elections to prepare and issue a Request for Proposals for an Open Source voting system for the November 4, 2008 General Election.
- 10/2/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
49. 071405 [Landmark Designation nomination for Mary Ellen Pleasant Trees located at 1661 Octavia Street]
Supervisors Maxwell, Mirkarimi
Resolution of intent initiating the nomination of the mature blue gum (*Eucalyptus globulus*) trees located at 1661 Octavia Street (Assessor's Block 647 lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.
- 10/2/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
50. 071406 [Approval of a 90 day extension for Planning Commission review]
Supervisor Alioto-Pier
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would add Planning Code Section 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.
- 10/2/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

51. 071407 [Commending Virginia Harmon on her service to the City and County of San Francisco as the Executive Director of the Human Rights Commission]
Supervisors Dufty, Ammiano, Maxwell
Resolution commending Virginia Harmon on her service to the City and County of San Francisco as the Executive Director of the Human Rights Commission.

10/2/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 071403 [Advertising for and Selection Process of Outside Counsel for the Board of Supervisors]
Supervisor Elsbernd
Motion directing the Clerk of the Board of Supervisors to advertise for outside counsel to represent the Board of Supervisors on the matter of the official misconduct charges filed against Supervisor Edmund Jew, and setting forth the process of selecting said outside counsel.

10/2/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

53. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 3 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 25, 2007 to October 5, 2007, for reference by President to appropriate committee on October 16, 2007.

071411 [Settlement of Lawsuit - Robert Kellogg, Jr.]

Ordinance authorizing settlement of the lawsuit filed by Robert Kellogg, Jr., against the City and County of San Francisco and Philip J. Welsh for \$150,000; the lawsuit was filed on January 6, 2006 in San Francisco Superior, Case No. 446-493; entitled Robert Kellogg, Jr. v. City and County of San Francisco, et al.
(City Attorney)

10/5/2007, RECEIVED AND ASSIGNED to Rules Committee.

071412 [Settlement of Lawsuit - Mitchell Engineering/J. Fletcher Creamer & Son, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Mitchell Engineering/J. Fletcher Creamer & Son, Inc. against the City and County of San Francisco for \$775,000; the lawsuit was filed on July 6, 2005 in San Joaquin County Superior Court, Case No. CV 026863; entitled Mitchell Engineering/J. Fletcher Creamer & Son, Inc., et al., v. City and County of San Francisco, et al.
(City Attorney)

10/5/2007, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 25, 2007 to October 5, 2007, for reference by President to appropriate committee on October 16, 2007.

071384 [Settlement of Unlitigated Claim - PG&E]

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas & Electric against San Francisco for \$238,594; claim was filed on June 19, 2007.
(City Attorney)

9/25/2007, RECEIVED AND ASSIGNED to Rules Committee.

071385 [Authorizing the Department of Telecommunications and Information Services to amend an agreement with CA, Inc. to extend the term of the agreement from ten years to thirteen years with an option for another three years]

Resolution authorizing the Department of Telecommunications and Information Services ("DTIS") to enter into the Second Amendment of an agreement between the City and County of San Francisco ("City") and CA, Inc. ("CA") to extend term of the agreement to thirteen years with an option for another three years.
(Telecommunications and Information Services)

9/28/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071386 [Approving a contract with anticipated expenditures in excess of \$10 million]

Resolution approving an Agreement between the City and County of San Francisco and S & S Trucking (Contractor) for hauling biosolids (sludge) and grit estimated to exceed \$10 million, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)

10/1/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071409 [Street Artist Winter Holiday Spaces]

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2007, beginning on November 15, 2007 and ending on January 15, 2008.
(Arts Commission)

10/3/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071413 |Petitions and Communications, Part 1|

Petitions and Communications received from September 25, 2007 through October 5, 2007 for reference by the President to October 16, 2007 (Items 1-60)

From Office of the Mayor, submitting copy of notice of suspension from office written to Supervisor Edmund Jew, District 4. Copy: Each Supervisor (1)

From Office of the Mayor, regarding notice of appointment during suspension of Edmund Jew from office. Copy: Each Supervisor (2)

From Office of the Mayor, regarding notification to Supervisors and Commissioners of the suspension of Supervisor Edmund Jew. Copy: Each Supervisor (3)

From Public Utilities Commission, regarding the appointment of Karri Ving to the San Francisco Biodiesel Access Task Force replacing Tom Franza effective October 1, 2007. (4)

From Planning Department, submitting Balboa Park Station Area Plan Draft Environmental Impact Report. (5)

From concerned citizens, regarding request for continuance of the categorical exemption appeal hearing for 2721 Pierce Street. File 071265, Copy: Each Supervisor, City Attorney, 2 letters (6)

From California Native Plant Society, submitting support for the nomination of the blue elderberry tree at Folsom Street and Bernal Heights Boulevard for Landmark Tree status. File 071124, Copy: City Operations & Neighborhood Services (7)

From Mirna Escobar, regarding grievance against Beverly Black and Sheila Hightower, caregiver. (8)

From Risk Management Office, submitting Indemnification Quarterly Report, July to September 2007 per Administrative Code Section 1.24. (9)

From Residential Rent Stabilization and Arbitration Board, submitting Rent Board annual statistical report 2006-2007. (10)

From Municipal Transportation Agency, regarding status on the feasibility of installing a traffic mirror at the intersection of Kensington Way and Ulloa Street. (Reference 20070911-021) (11)

From Recreation and Parks Department, regarding status on repairing the swingset at the Panhandle Children's Playground. (Reference 20070918-004) Copy: Supervisor Mirkarimi (12)

From Grants for the Arts, submitting 2006/2007 NonProfit Performing Arts Loan Program (NPALP) year end progress report. (13)

From Office of the City Attorney, regarding the official misconduct hearing for the suspension of Supervisor Ed Jew. Copy: Each Supervisor (14)

From Department of Elections, submitting amended copy of the petition for the recall of Supervisor Jake McGoldrick, District I. (15)

From Department of Public Works, regarding status on replacing and installing the five arrow signs approaching St. Francis Circle. (Reference 20070807-015) (16)

From Department of Public Works, regarding status on investigating if the traffic lights can be synchronized for the intersection of Ocean Avenue and Junipero Serra Boulevard. (Reference 20070807-016) (17)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for: (18)
May Ling Hazel Lee, Legislative Assistant

From Office of the Controller, regarding Charter Amendment creating minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws. File 071051 (19)

From Department of Public Health, submitting status report on the implementation of the San Francisco Health Care Security ordinance. File 070354 (20)

From Capital Planning Committee, regarding the 2008 Clean and Safe Neighborhood Parks G.O. Bond measure and the San Francisco Public Utilities Commission regarding an appropriation request for the PUC's new administration building at 525 Golden Gate Avenue. (21)

From Sonoma-Marín Area Rail Transit Project District (SMART), submitting notice of a draft supplemental Environment Impact Report for Sonoma-Marín Area Rail Transit Project. (22)

From Office of the Controller, regarding sources of funding for the Public Education Enrichment Fund for fiscal year 2008-09. (23)

From concerned citizens, commenting on the right to free speech. File 071185, Copy: Each Supervisor, over 300 letters (24)

From City Planning Committee, regarding incorrect project titles in fiscal year 2007-2008 capital budget. Copy: Each Supervisor (25)

From Jeff Minster, commenting on the need for traffic control during school hours on Marston Avenue located behind City College. (26)

From Francisco Da Costa, commenting on Joseph Lee Recreation Center. (27)

From Gary R. Gentry, commenting on smoking at the Alemany Farmers Market. (28)

From John Miller, submitting opposition to proposed advertising on or around the Golden Gate Bridge. File 071058, Copy: Each Supervisor (29)

From Adam Graff, commenting on an article posted in the Chronicle regarding Mayor Newsom's effort to clean the streets of the SoMa. Copy: Supervisor Daly, 2 letters (30)

From Mary Ann Mana, submitting appreciation to the Board for their expression of sympathy to the Mana family. (31)

From Terrie Frye, regarding WiFi and cancer. (32)

From Joe Acosta, commenting on the Nextbus System and MUNI. (33)

From James Chaffee, commenting on the Library Preservation Fund. (34)

From concerned citizens, commenting on the SF Film Commission's refusal to allow the US Marines to tape a recruitment commercial on a San Francisco street. 559 letters (35)

From Rev. Randi Webster, commenting on safe access to medical cannabis and medical cannabis facilities. (36)

From concerned citizens, commenting on the Blue Angels air show during Fleet Week. File 071232, Copy: Each Supervisor, 27 letters (37)

From Department of Public Health, submitting Monthly STD Report for August 2007. (38)

From Building Inspection Commission, regarding an application for appeal to the Building Inspection Commission for 770 Powell Street. (39)

From Nossaman, Guthner, Knox & Elliott, LLP, regarding application seeking the Public Utilities Commission's authorization for two separate proposed reorganizations. (40)

From Civil Service Commission, regarding allocations for advertising purchases in newspapers which feature trafficked immigrant women and prostitution in violation of state law. Copy: Each Supervisor (41)

From concerned citizens, commenting on the proposed Municipal Identifications Cards. File 071333, Copy: Each Supervisor, 3 letters (42)

From concerned citizens, urging the Board to support the resolution to disapprove the determination of the Planning Department for the 445 Wawona Street project. File 071037, Copy: Each Supervisor, 2 letters (43)

From Patty Riek, commenting on smoking at the Alemany Farmers' Market. (44)

From Keren Abra, submitting opposition to Starbucks opening at 4th and Geary. File 071031, Copy: Each Supervisor (45)

From concerned citizens, submitting support for the proposed WiFi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 2 letters (46)

From Mary Miles, regarding special hearing on the Market and Octavia project. File 01158, Copy: Land Use Committee Members (47)

From G. C. Hextrum, commenting on a billboard seen while driving on the freeway near the Bay Bridge. (48)

From Amy Chen, commenting on food service businesses in the Sunset District using advertising signs in Chinese only. Copy: Supervisor Chu (49)

From Administrative Services, submitting copy of response to constituent regarding media issues. (50)

From concerned citizens, commenting on San Francisco. 8 letters (51)

From Sharon Patrick, submitting request to the Board for their support during CNA/CPMC contract negotiations. (52)

From James Leonard, commenting on Tuberculosis exposure in City homeless shelters. Copy: Public Health (53)

From Pete Sherman, commenting on non-violence in Burma. (54)

From Francisco Da Costa, commenting on the Board of Education's vote to put a halt of the project on Bayview Hunters Point Parcel A. 2 letters (55)

From concerned citizens, commenting on Lennar Corporation. 10 letters (56)

From Dr. Ahimsa Porter Sumchai, commenting on an article placed in the Chronicle. (57)

From Francisco Da Costa, commenting on the residence at 1401 Ingalls and the All Hollows complex. (58)

From Francisco Da Costa, commenting on Apartment Investment and Management Company (AIMCO). (59)

From Francisco Da Costa, commenting on public housing in San Francisco. (60)

071414 [Petitions and Communications, Part 2]

Petitions and Communications received from September 25, 2007 through October 5, 2007 for reference by the President to October 16, 2007 (Items 61-86)

From Francisco Da Costa, commenting on several issues regarding San Francisco. 2 letters (61)

From John Barbey, commenting on the Public Utilities Commission draft PEIR for SFPUC Water System Improvement Program. (62)

From Holly Bowling, submitting support for the proposed bike program for San Francisco. (63)

From Jared Bell, submitting support for the Board's decision to adopt a ban on plastic grocery bags. (64)

From Jeff McKenna, submitting support for Mayor Newsom's plans to crack down on quality-of-life crimes in the South of Market. (65)

From Lisa Lasris, commenting on an article linked from the Drudge Report. (66)

From Mirna Escobar, commenting on Adult Protective Services and In Home Support Services. 3 letters (67)

From Abdalla Megahed, submitting copy of open letter to Mayor Newsom. (68)

From Patrick Monette-Shaw, submitting copy of letter to the editor of the SF Daily regarding Mayor Newsom. (69)

From Melinda Costello, urging the Board to oppose an additional liquor license/24 hour food license for the Café Flor. Copy: Each Supervisor (70)

From concerned citizens, commenting on the Folsom Street Fair's advertisement. Copy: Supervisors Daly and Ammiano, 2 letters (71)

From Howard Vicini, commenting on the MUNI system. Copy: Municipal Railway (72)

From James Chaffee, commenting on media issues during public comment. 2 letters (73)

From Laura Hollander, commenting on advertising in the air. (74)

From concerned citizens, commenting on the Tenderloin neighborhood. Copy: Supervisor Daly, 2 letters (75)

From Reuben & Junius LLP, regarding Joy-Brewster Interim Controls. File 071122, Copy: Each Supervisor (76)

From Adam Martin, submitting appreciation to the Board for the Certificate of Honor presented to him. Copy: Each Supervisor (77)

From Charles Johnson, commenting on beams that shoot rays possibly throughout the City. 2 letters (78)

From Human Services Agency, submitting copy of response to constituent regarding the First Source Hiring Program. (79)

From Phoebe Williams, submitting copy of letter written to Mayor Newsom. (80)

From Kevin Kraynak, commenting on Critical Mass. Copy: Mayor Newsom (81)

From Melissa A.C. Brunell, commenting on various issues. (82)

From Gerri Hayes, commenting on the Transbay Terminal building. (83)

From CA Public Utilities Commission, submitting copy of application of Anteneh G. Lakew doing business as Paradise Valley Shuttle to provide as passenger stage corporation an on-call, door-to-door services between points in San Francisco, Alameda, Contra Costa, Santa Clara, Solano, Marin, and San Mateo Counties on the one hand, and San Francisco, Oakland, and San Jose International Airport on the other hand. (84)

From Department of Elections, regarding voting system update #4: Effects of Conditional Certification of ES&S Voting System. (85)

From Carol Slettvedt, commenting on the categorical exemption appeal for the 445 Wawona Street project. (86)

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

DOCUMENTS DEPT

OCT 12 2007

SAN FRANCISCO
PUBLIC LIBRARY

General Notice

Transmitted: 10-11-07

A public hearing will be held on 10/23/07 at 4:30 p.m., or as soon as possible after this time, at Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subject. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the listed file to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

071319 Appeal of Determination of Exemption from Environmental Review for 376 Eureka Street

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 2, 2007, Case No. 2005.0365E, exempting from environmental review under Categorical Exemption Class 1 [State CEQA Guidelines, Sections 15301(a) and (e)]. The project would expand an existing one-story-plus attic, 1,056-square-foot single-family dwelling and minor alterations to an accessory rear one-story-plus-attic, 300-square-foot cottage on an approximately 3,250-square-foot lot. The proposed expansion consists of a two-story, approximately 24-foot-high, 22-foot-deep addition to the rear of the dwelling, which would add approximately 1,020 square feet of habitable area. In addition, the project includes raising the dwelling by 2 feet and constructing an approximately 800-square-foot below-grade garage and basement area increasing the building height from 16-1/2 feet to 18-1/2 feet. The existing front set back of 11-1/2 feet would not change. In addition, the proposal would alter an accessory rear one-story-plus-attic, 300-square foot cottage by removing a kitchen. The project site (Assessor's Block 2749, Lot 017) is within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. (Appellant: F. Joseph Butler, AIA, on behalf of Susan Lally and Priscilla Botsford)

Angela Calvillo, Clerk of the Board

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

- TEXT ONLY:
- ☐
- PRINT:
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- ☐
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- ☐

October 23, 2007

Click on the file numbers below to obtain background materials. These files are provided in PDF format, and you must have the Adobe Acrobat Reader to access them. Click here for info about obtaining Acrobat (it's free).

Printable Version of Board Agenda (PDF)

Board of Supervisors City and County of San Francisco

***Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689***



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AGENDA

**Tuesday, October 23, 2007
2:00 PM**

Regular Meeting

AARON PESKIN, PRESIDENT

**MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE
MAXWELL, JAKE MCGOLDRICK, ROSS MIRKARIMI,
GERARDO SANDOVAL**

Angela Calvillo, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

*Motion to approve Board Meeting Minutes for
September 25, 2007.*

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, general public comment for this item will take place during public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 17

Recommendations of the Budget and Finance

Committee

Present: Supervisors Peskin, Ammiano, Dufty

1. 071228 [Clean and Safe Neighborhood Parks General Mayor, Supervisors Peskin, Obligation Bond Election] Elsbernd, Dufty

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, February 5th 2008, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred and Eighty-Five Million Dollars (\$185,000,000) for the construction, reconstruction, purchase, and/or improvement of park, and recreation facilities within the City and County of San Francisco and all other structures, and improvements, and related costs necessary or convenient for the foregoing purposes and paying all other costs necessary and convenient for effectuating those purposes; authorizing landlords to pass-through fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that a portion of the proposed project is categorically exempt from the California Environmental Quality Act, and the remainder of the proposed project is excluded from the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

10/16/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Ordinance approving an Integrated Project Delivery Plan for the early procurement of a Construction Manager/General Contractor for the new Public Utilities Commission administrative building at 525 Golden Gate Avenue and modifying the competitive bid requirements of Administrative Code Chapter 6 to require an alternative competitive process based on experience, qualifications, and price. (Public Utilities Commission)

9/24/2007, SUBSTITUTED. San Francisco Public Utilities Commission submitted a substitute ordinance bearing new title.

10/16/2007, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as a sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

3. 071300 **[Approving Agreement with Northern California Joint Pole Association]** **Supervisor Peskin**

Ordinance approving an agreement between the City and County of San Francisco and the Northern California Joint Pole Association for a term potentially in excess of ten years and indemnifying the Northern California Joint Pole Association and its members from certain third-party claims for personal injury or property damage, and waiving certain requirements of the San Francisco Administrative Code with respect to the agreement.

10/16/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 071375 **[Public Employment - Department of Children Youth and their Families]** **Supervisor Peskin**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of an 1823 Senior Administrative Analyst and the deletion of an 1822 Administrative Analyst in the Department of Children Youth and their Families.

10/16/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

5. 070970 **[Liquor License Transfer, 2480 San Bruno Avenue]**

Resolution determining that the transfer of a Type 21 off-sale general license from 667-669 Geary Street to 2480 San Bruno Avenue to Hing Yue, Inc. dba San Bruno Supermarket will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

6. 070992 [Liquor License, 22 Peace Plaza, Space 525]

Resolution determining that the issuance of a Type 48 on-sale general public premises license in exchange for a Type 47 on-sale general eating place license to Wen Wen Lin dba Kabuki Night Club at 22 Peace Plaza, Space 525, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

7. 071192 [Liquor License Transfer - 1641 Fillmore Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 1669 Fillmore Street to 1641 Fillmore Street to John Kyoyoon Lee dba Fillmore Market will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

8. 071262 [Study of HIV transmission behavior in HIV-positive men]

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of \$37,906 with the University of California, San Francisco (UCSF), the primary contractor, to participate in a study to examine decisions to have high transmission-risk sex; study the efficacy of a prevention counseling intervention; and determine whether future episodes of unprotected sex are reduced, for the period of September 1, 2006 to August 31, 2007. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

9. 071304 [Accept-Expend Federal/State Pass Through Mayor Grant - Department of Public Library]

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$13,398 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

Question: Shall this Resolution be ADOPTED?

10. 071345 [Accept-Expend Federal Grant, Department of Mayor the Environment - \$200,000]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$200,000 from the U.S. Department of Energy for the Solar America Initiative in order to fund technical consultants, the development and publication of outreach materials and City staff time over a two-year period for the purpose of energy reduction.

Question: Shall this Resolution be ADOPTED?

11. 071381 **[Accept-Expend Federal Grant - Mayor's Office Supervisor Alioto-Pier of Criminal Justice]**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of \$400,000 from the Department of Justice (DOJ), Office of Violence Against Women (OVW), FY2007 Safe Havens: Supervised Visitation and Safe Exchange Program for the purpose of supporting supervised visitation and safe exchange options for families with a history of violence or abuse.

Question: Shall this Resolution be ADOPTED?

12. 071391 **[Grant to fund child safety and occupant protection in San Francisco]** Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a grant for \$387,557 from the California Office of Traffic Safety (OTS), which includes contracts with the San Francisco Study Center for \$78,750 and O'Rorke, Inc. for \$80,000; for the period of January 1, 2008 through September 30, 2009.

Question: Shall this Resolution be ADOPTED?

13. 071392 **[State Grant to support the Pierce's Disease Control Program]** Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of \$191,664.48 in support of the Pierce's Disease Control Program, for the period of July 1, 2007 through June 30, 2010.

Question: Shall this Resolution be ADOPTED?

14. 071400 **[Retroactive Accept and Expend State Grant - Supervisor Mirkarimi Department of the Environment]**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$206,125.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Elsbernd, Peskin

15. 071350 **[Settlement of Lawsuit - Elfie Jansel]**

Ordinance authorizing settlement of the lawsuit filed by Elfie Jansel against the City and County of San Francisco for \$98,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. CGC06-452649; entitled Elfie Jansel v. City and County of San Francisco, et al. (City Attorney)

10/16/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Ordinance authorizing settlement of the lawsuit filed by Marie Doe against the City and County of San Francisco for \$35,000; the lawsuit was filed on November 18, 2004 in United States District Court, Case No. C04-4914 MJJ; entitled Marie Doe, et al. v. City and County of San Francisco, et al. (City Attorney)

10/16/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, McGoldrick, Ammiano

17. 070947 [Exempting Wind Turbines from Bernal Heights Special Use District Height Limits] Supervisor Ammiano

Ordinance amending the San Francisco Planning Code by amending Section 242 (e)(1)(D) to allow certain wind power generators within the Bernal Heights Special Use District subject to height limitations set forth in Section 260(b)(1)(A), making environmental findings, general plan findings, and other required findings.

8/14/2007, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

10/16/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Peskin, Ammiano, McGoldrick

18. 070961 [Recreation and Park Commission--Authorization to Modify Golf Course Hours and Fees; Creation of Golf Course Task Force] Supervisor McGoldrick

Ordinance adding Section 12.46 to Article 12 of the San Francisco Park Code to authorize the Recreation and Park Commission to modify golf course hours and fees; and to create a Golf Course Task Force that will evaluate measures to reduce

General Fund support for operation and maintenance of golf courses, and explore alternative revenue sources.

(Supervisor Dufty dissented in committee.)

8/14/2007, AMENDED.

8/14/2007, CONTINUED AS AMENDED. Continued to October 16, 2007
10/16/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING
SAME TITLE.

10/16/2007, CONTINUED AS AMENDED. Continued as amended to
October 23, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Dufty

19. 071296 **[Appropriating \$100,000 of General Fund Reserve to General City Responsibility for Hurricane Relief in Nicaragua]** **Supervisors Daly, Ammiano, Sandoval**

Ordinance appropriating \$100,000 from the General Fund Reserve to General City Responsibility for hurricane relief in Nicaragua for Fiscal Year 2007-2008.

10/16/2007, AMENDED. Amended by reducing the amount from
\$200,000 to \$100,000.

10/16/2007, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Ammiano, Dufty

20. 071364 **[Transit Shelter Advertising Agreement]**
Ordinance approving Transit Shelter Advertising Agreement between the City and County of San Francisco and Clear Channel Outdoor Inc. (Municipal Transportation Agency)

10/16/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors McGoldrick, Alioto-Pier, Jew

21. 071258 **[Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program]** **Supervisors McGoldrick, Maxwell, Mirkarimi**

Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning,

among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 23, 2007

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

22. 071158 [Approving General Plan Amendments Related Supervisor Mirkarimi to Market & Octavia Area Plan]

Ordinance amending the San Francisco General Plan by adding a new area plan entitled the Market & Octavia Area Plan, and approving General Plan amendments to implement the Market and Octavia Neighborhood Plan by amending the Commerce and Industry, Housing, Recreation and Open Space and Transportation Elements, the Civic Center Area Plan, Downtown Area Plan, South of Market Area Plan, and the Land Use Index; providing the ordinance shall not be effective until the effective date of an additional affordable housing program for the Market and Octavia area plan to be adopted by the Board of Supervisors; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

10/16/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Dufty was previously excused from voting on this matter.

10/16/2007, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Board of Supervisors Sitting as a Committee of the Whole

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

23. 071051 [Charter Amendment - Minimum qualifications Supervisor Alioto-Pier for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws]

Charter Amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

10/16/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/16/2007, CONTINUED AS AMENDED.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty

24. 071326 **[Public Employment - Department of Public Health]**
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 34.95 positions in the Department of Public Health pursuant to Ordinance 162-07 (Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union Local 790 Staff and Per Diem Nurses) and Ordinance 164-07 (Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees and Helpers Local 856 Supervising Registered Nurses Unit 11.B) using funding from the Salaries and Benefits Reserve as appropriated in Ordinance 174-07 (Consolidated Budget and Annual Appropriation Ordinance for Fiscal Year Ending June 30, 2008). (Human Resources Department)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 071329 **[Amending and Repealing Cash Revolving Funds and Cash Revolving Accounts]**
Ordinance amending and repealing various sections of Article XV, Part I of the San Francisco Municipal Code (Administrative Code), which established cash revolving funds and cash revolving accounts for the City and County of San Francisco departments. (Controller)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 071339 **[Grant of Federal Funds, Municipal Transportation Agency - \$46,547,421]** **Supervisor Peskin**
Resolution authorizing the Municipal Transportation Agency to accept and expend \$46,547,421 of Federal Transit Administration Section 5309 fixed guideway capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

27. 071340 [Grant of Federal Funds, Municipal Transportation Agency - \$31,854,482] Supervisor Peskin
- Resolution authorizing the Municipal Transportation Agency to accept and expend \$31,854,482 of Federal Transit Administration Section 5307 capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.
- (Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

28. 071342 [Grant of Federal Funds, Municipal Transportation Agency - \$1,805,760] Supervisor Maxwell
- Resolution authorizing the Municipal Transportation Agency to accept and expend \$1,805,760 of Federal Transit Administration Section 5309 Bus and Bus Facilities funding for design and construction of Muni's Islais Creek Facility and the purchase of Automatic Vehicle Locator (AVL) equipment.
- (Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

29. 070508 [Banning alcohol in children's play areas] Supervisor Alioto-Pier
- Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in children's play areas.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 071089 [Warning on Cough and Cold Medicine for Infants and Young Children Ordinance] Supervisors Alioto-Pier, Duffy
- Ordinance amending the San Francisco Health Code by adding Article 36, Sections 3601 through 3609, to: (1) require businesses located in the City and County of San Francisco to post point-of-sale warnings on administering cough and cold medicine to infants and children younger than 2 years, and (2) provide penalties for violations.
- (Supervisor McGoldrick dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

31. 070851 [Polk Street Neighborhood Commercial District Zoning Controls] Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 121.2 to move Polk Street from a 3,000 square foot lot size limit to a 2,000 square foot lot size limit and by amending Section 723 to provide that commercial and institutional uses in the Polk Street Neighborhood Commercial District are permitted up to 1,999 square feet and allowed as a conditional use for 2,000 square feet and above; adopting findings, including Section 302 findings, environmental findings, and findings of consistency with Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, McGoldrick

32. 071376 [Initiate the Designation of 690 Market, the Chronicle Building, as a Landmark] Supervisor Peskin

Resolution initiating the designation of 690 Market, the Chronicle Building, Lot 6 in Assessor's Block 311, as a landmark pursuant to Section 1004.1 of the Planning Code and urging expedited consideration of the building's landmark status and a Mills Act contract associated with the building's rehabilitation and restoration.

Question: Shall this Resolution be ADOPTED?

33. 070738 [Planning - Inner Clement Street Neighborhood Commercial District - full-service restaurants and bars] Supervisor McGoldrick

Ordinance amending Planning Code Sections 716.1, 716.41, and 716.42 of the Inner Clement Street Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new wine and beer bar uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall 4pm. If more than one public hearing is scheduled, then the C. with the President, may determine the order in which the appeals are scheduled. Second and later appeals may be scheduled at special times after 4 pm. An appeal shall not be heard prior to its scheduled calendar, and it may not be called until the Board's consideration.

scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

34. 071248 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 700 Valencia Street]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on August 30, 2007, approving a Final Mitigated Negative Declaration (File Number 2005.0351E) for the proposed development at 700 Valencia Street. The proposal would demolish an existing vacant former used auto dealership and construct a five-story, 50 foot-tall mixed-use building of approximately 22,662 square feet containing nine dwelling units, nine parking spaces and one commercial unit. The project site is located at 700 Valencia Street, on the southwest corner of Valencia and 18th Streets in the Mission neighborhood (Assessor's Block 3588, Lot 001). (Appellant: Kim Malcheski on behalf of the Mission Anti-displacement Coalition.)

(Filed September 14, 2007; companion measure to File 071249, 071250, 071251; District 8.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

35. 071249 **[Affirming adoption of the Final Mitigated Declaration for the 700 Valencia Street Project]**

Motion affirming Planning Commission adoption of the Final Mitigated Negative Declaration for 700 Valencia Street.

Question: Shall this Motion be APPROVED?

36. 071250 **[Reversing adoption of the Final Mitigated Negative Declaration for the 700 Valencia Street Project]**

Motion reversing the Planning Commission adoption of the Final Mitigated Negative Declaration for 700 Valencia Street.

Question: Shall this Motion be APPROVED?

37. 071251 **[Preparation of findings to reverse adoption of the Final Mitigated Negative Declaration for 700 Valencia Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the Final Mitigated Negative Declaration for 700 Valencia Street.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

38. 071319 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 376 Eureka Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 2, 2007, Case No. 2005.0365E, exempting from environmental review under Categorical Exemption Class 1 [State CEQA Guidelines, Sections 15301(a) and (e)]. The project would expand an existing one-story-plus attic, 1,056-square-foot single-family dwelling and minor alterations to an accessory rear one-story-plus-attic, 300-square-foot cottage on an approximately 3,250-square-foot lot. The proposed expansion consists of a two-story, approximately 24-foot-high, 22-foot-deep addition to the rear of the dwelling, which would add approximately 1,020 square feet of habitable area. In addition, the project includes raising the dwelling by 2 feet and constructing an approximately 800-square-foot below-grade garage and basement area increasing the building height from 16-1/2 feet to 18-1/2 feet. The existing front set back of 11-1/2 feet would not change. In addition, the proposal would alter an accessory rear one-story-plus-attic, 300-square foot cottage by removing a kitchen. The project site (Assessor's Block 2749, Lot 017) is within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. (Appellant: F. Joseph Butler, AIA, on behalf of Susan Lally and Priscilla Botsford)

(Filed September 14, 2007; companion measure to 071320, 071321, 071322; District 8.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

39. 071320 [Affirming the Categorical Exemption issued for the 376 Eureka Street Project]
Motion affirming the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
40. 071321 [Disapproving the Categorical Exemption issued for the 376 Eureka Street Project]
Motion disapproving the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
41. 071322 [Preparation of findings related to the 376 Eureka Street Project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 376 Eureka Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee on October 18, 2007 10:00 a.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 23, 2007.

42. 071411 [Settlement of Lawsuit - Robert Kellogg, Jr.]
Ordinance authorizing settlement of the lawsuit filed by Robert Kellogg, Jr. against the City and County of San Francisco and Philip J. Welsh for \$150,000; the lawsuit was filed on January 6, 2006 in San Francisco Superior, Case No. 446-493; entitled Robert Kellogg, Jr. v. City and County of San Francisco, et al. (City

Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. **ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

44. **PUBLIC COMMENT**

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Items 45 through 57

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

45. 071440 [Urging Wooden Windows and the Carpenters Supervisors Ammiano, Union Local 2236 work together to find resolution to labor disputes] **Duffy**
Resolution urging Wooden Windows and the Carpenters Union Local 2236 to work together to find resolution to labor disputes and acknowledging recent events surrounding such disputes.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 071441 [Urging banks to work with the City to address the affects of subprime lending and calling on the Federal Reserve to take action] **Supervisor**

at the national level to end predatory loan practices]

Resolution urging banks to work with the City to address foreclosures and subprime loan practices; calling on the Federal Reserve to prohibit loans at unaffordable rates, end the misuses of stated loans, eliminate prepayment penalties, and designate failure to escrow taxes and insurance in subprime loans as a deceptive practice.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 071442 [Urging the adoption of October 27, 2007 as Supervisor Ammiano "End The War in Iraq" Day in San Francisco]

Resolution urging the Board of Supervisors to designate October 27, 2007 as "End The War in Iraq" Day in San Francisco and to endorse the march and rally that are scheduled to commence on October 27, 2007.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 071443 [Urging the Mayor and Board of Supervisors Supervisor Ammiano provide city funding for the first annual Central American "Festival de los Volcanes"]

Resolution urging the Mayor and Board of Supervisors to recognize November 4th, 2007 Central American Peoples Day, and to acknowledge Central American Resource Center's (CARECEN) contributions in organizing first annual Central American Community "Festival de los Volcanes" which celebrates the historical presence and contributions of Central Americans to San Francisco.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 071444 [Urging neighboring nations and major Supervisor Ammiano investors to defend peaceful pro-democracy demonstrators in Burma]

Resolution Urging the Governments of China, India, Thailand, Korea, Japan, and of the United States, as well as the Chevron and Daewoo Corporations to Take Action in Defense of Peaceful Pro-Democracy Demonstrators in Burma.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 071445 [Commending Respiratory Care Workers for Supervisor Dufty their Contributions to the Medical Community and Recognizing Respiratory Care Week 2007]

Resolution commending Respiratory Care Workers for their Contributions to the Medical Community and Recognizing Respiratory Care Week 2007.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 071446 [Urging the Mayor's Office of Housing to develop a homeownership preservation plan] Supervisor Sandoval

Resolution urging the Mayor's Office of Housing to create an emergency fund to prevent foreclosures and preserve home ownership.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 071447 [Commending Warren Hellman and the Hardly Supervisor Peskin
Strictly Bluegrass Festival]

Resolution commending Warren Hellman for his hard work and generosity in presenting the Hardly Strictly Bluegrass music festival in San Francisco for the last six years.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 071448 [Commending Vice President Al Gore for winning the Nobel Peace Prize for his efforts to combat global warming] Supervisors Alioto-Pier, McGoldrick

Resolution commending Vice President Al Gore for winning the Nobel Peace Prize for his efforts to combat global warming.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 071449 [Acceptance of the gift related to the improvement of a portion of the Lyon Street Stairs] Supervisor Alioto-Pier

Resolution acknowledging and accepting Richard C. Blum's gift to refurbish a portion of the Lyon Street Stairs and dedicating these improvements to public use.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

55. 071450 [Urging the California Department of Corrections and Rehabilitation to rescind policy no.07-48 regarding Jessica's Law (PROP 83)] Supervisor McGoldrick

Resolution condemning the current policy of the California Department of Corrections and Rehabilitation of advising parolees who are unable to secure housing compliant with Proposition 83 ("Jessica's Law") to declare transience in order to avoid incarceration.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

56. 071451 [Authorization for City to enter into Memorandum of Understanding with other Bay Area cities and counties to govern expenditure of federal homeland security funds] Supervisor Alioto-Pier

Resolution authorizing City and County officials to enter into a Memorandum of Understanding that (1) establishes procedures for application, allocation and distribution of federal Urban Areas Security Initiative Program grant funds for fiscal year 2007 and future fiscal years, (2) continues an Urban Area Working Group with other Bay Area governmental entities, and (3) continues San Francisco as the primary grantee and fiscal agent for Urban Areas Security Initiative Program grant funds; further authorizing designated City and County officials to negotiate, execute and file on behalf of the City and County of San Francisco any and all agreements and documents and to take any other action necessary to apply for and receive grant funds under the federal Urban Areas Security Initiatives Program.

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

57. 071453 [Final Map 4341 - 725 Pine Street]

Motion approving Final Map 4341, a 22 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 725 Pine Street being a subdivision of Lot 001C in Assessors Block No. 0272 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department) (DPW Order No. 177,168, District 3.)

10/17/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE
REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

58. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a

unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 9, 2007 through October 15, 2007, for reference by President to appropriate committee on October 23, 2007.

071417 [Settlement of Lawsuit - CCSF v. Michael Levine and What Do We Do? Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael Levine and What Do We Do? Inc. for \$30,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. 452-470; entitled City and County of San Francisco, et al., v. Michael Levine, et al.; other material terms of said settlement are that Judgment is to be entered against Michael Levine personally in the amount of \$30,000, that payment of \$15,000 is to be made at the time of finalization of the settlement of this matter, that the remaining payment of \$15,000 is to be in monthly installments over a period of 18 months, and if any payment is late, the entire amount is immediately due, payable and collectible.

10/12/2007, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 9, 2007 to October 15, 2007, for reference by President to appropriate committee on October 23, 2007.

071418 [Approval of the Ryan White HIV/AIDS Treatment Modernization Act grant application]

Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an application by the deadline of November 5, 2007, to the Health Resources Services Administration (HRSA) to continue to receive funding for the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Programs, Part A); for the next grant year, March 1, 2008 through February 28, 2009, with an expected amount of approximately \$36,118,233 in funding for the San Francisco Eligible Metropolitan Area (EMA). (Public Health Department)

10/12/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED MOTIONS

071452 [Petitions and Communications]

Petitions and Communications received from October 9, 2007 through October 15, 2007 for reference by the President to October 23, 2007

From concerned citizens, commenting on the homeless problem in San Francisco. Copy: Each Supervisor, 5 letters(1)

From Matt Hornyak, commenting on problems experienced with Comcast. Copy: Supervisor Ammiano(2)

From concerned citizen, commenting on preserving San Francisco's golf courses. 3 letters(3)

From Axis of Love SF, regarding safe access to medical cannabis. Copy: Each Supervisor(4)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for:(5)

Barbara Meskunas, Legislative Assistant

Katy Tang, Legislative Assistant to Supervisor Carmen Chu

From Clerk of the Board, submitting election schedules which pertain to the various actions and deadlines for the June 3, 2008 Election. Copy: Each Supervisor, City Attorney(6)

From John Ely, commenting on the right to freedom of speech. Copy: Each Supervisor(7)

From Greg Cover, commenting on an article published in the Chronicle regarding Nuit Blanche. Copy: Each Supervisor(8)

From concerned citizens, commenting on the Blue Angels air show. File 071232, Copy: Each Supervisor, 2 letters(9)

From Phoebe Williams, submitting copy of letter written to Planning and Program Development.(10)

From Port of San Francisco, regarding As-Needed Professional Services contracts for fiscal year 2006-2007.(11)

From Municipal Transportation Agency, submitting short-range transit plan for fiscal year 2006-2007.(12)

From concerned citizens, submitting opposition to the proposed creation of a Golf Course Task Force. File 070961, Copy: Each Supervisor, Over 80 letters(13)

From Public Utilities Commission Citizens Advisory Committee, submitting resolution concerning the establishment of pay-for-service electric rates for all City departments and buildings.(14)

From Grants for the Arts, submitting 2006-2007 NonProfit Performing Arts Loan Program (NPALP) progress report.(15)

From Municipal Transportation Agency, submitting Tow Refund report for the third quarter 2007 pursuant to Administrative Code Section 10C.12.(16)

From Office of the Controller, regarding authorized fee increases for Clerk of the Board fees.(17)

From Office of the Controller, submitting report regarding the review of North Tower Environmental, Inc (North Tower).(18)

From concerned citizens, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, 2 letters(19)

From concerned citizens, commenting on illegal immigration. 2 letters(20)

From Randy Wilkie, submitting opposition to the opening of a medical cannabis dispensary.(21)

From American Psychological Association, regarding the APA's policy on ethics and interrogation.File 071093, Copy: Each Supervisor(22)

From Francisco Da Costa, commenting on Mayor Newsom.(23)

From Emile Lawrence, submitting copy of letter to the Taxi Commission and Paratransit Coordinating Council regarding a Ramped Taxicab Permit.(24)

From Police Officers Association, commenting on the mental health community.(25)

From Ted Strawser, commenting on Proposition H.(26)

From Edi Matzel, commenting on the Director and Deputy Director at 911.(27)

From Mike Wright, commenting on several issues regarding the U.S. Marines. 2 letters(28)

From Robert Coulter, DVM, commenting on San Francisco. Copy: Supervisor Daly(29)

From Office of the Treasurer, submitting portfolio statistics from July 1, 2007 to September 30, 2007.(30)

From Office of the City Attorney, regarding deemed approved uses ordinance.(31)

From Police Department, regarding status on request to examine the current strategic approach of rotating Captains every two years on the basis of whether or not such a policy is conducive to the best practices of community policing. (Reference 20070911-017) Copy: Supervisor Ammiano(32)

From Department of Public Health, submitting annual report of gifts for fiscal year 2006-2007.(33)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported to the Office of the Treasurer/Tax Collector for the months of August and September 2007(34)

From Joan E. Cottrell, submitting response to letter received from SFGH Department of Psychiatry.(35)

From Planning Department, regarding Glen Park Community Transportation Improvement Project. Copy: Supervisor Duffy(36)

From Reuben & Junius LLP, regarding request for continuance of the CEQA appeal hearing for 376 Eureka Street. File 071319, Copy: Each Supervisor(37)

From Austin Law Group, regarding request for continuance of the appeal hearing for 1166 Haight Street. File 070967(38)

From Supervisor Daly, regarding Affordable Housing Fund and Public Accountability Charter Amendment. File 071218, Copy: Each Supervisor(39)

From Francisco Da Costa, commenting on Bayview Hunters Point.(40)

From Lee Mentley, commenting on comment made by Ann Coulter.(41)

From Christine Amrein, commenting on the Sisters of Perpetual Indulgence.(42)

From concerned citizens, commenting on the Folsom Street Fair advertisement.3 letters(43)

From Public Utilities Commission, regarding status on cleaning drains at various locations in District 5. (Reference 20070918-017) Copy: Supervisor Mirkarimi(44)

From Albert Ujcic, commenting on the war in Iraq.(45)

From Robert Lee, commenting on the San Francisco Fire Department. Copy: Each Supervisor(46)

From concerned citizens, commenting on a recent demonstration at a Catholic

mass. 4 letters(47)

From Eric S. Harden, commenting on various issues regarding San Francisco.(48)

From Kimo Crossman, submitting copy of article published In the New York Times.(49)

From Jaime R  ss/Elizabeth Reiss, commenting on public advertising in San Francisco.(50)

From Katie Hickox, commenting on problems with electronic voting machines. File 071404, 2 letters(51)

From San Francisco Beautiful, regarding proposed ordinance approving MTA Transit Shelter Advertising Agreement. File 071364, Copy: Each Supervisor(52)

APPOINTMENTS BY THE MAYOR

Treasure Island Development Authority
Fred Blackwell

ADJOURNMENT

Meeting Procedures

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翻譯：必須在會議前最少四十八小時提出要求

請電：(415) 554-7703

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Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 30, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynn

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

2nd and 4th Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sof@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the Board Meeting Minutes of October 2, 2007.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15**Recommendations of the Budget and Finance Committee**

Present: Supervisors Peskin, Ammiano, Duffy

1. **071326** **[Public Employment - Department of Public Health]**
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 34.95 positions in the Department of Public Health pursuant to Ordinance 162-07 (Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union Local 790 Staff and Per Diem Nurses) and Ordinance 164-07 (Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees and Helpers Local 856 Supervising Registered Nurses Unit 11.B) using funding from the Salaries and Benefits Reserve as appropriated in Ordinance 174-07 (Consolidated Budget and Annual Appropriation Ordinance for Fiscal Year Ending June 30, 2008). (Human Resources Department)
(Fiscal Impact.)

10/23/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **071329** **[Amending and Repealing Cash Revolving Funds and Cash Revolving Accounts]**
Ordinance amending and repealing various sections of Article XV, Part I of the San Francisco Municipal Code (Administrative Code), which established cash revolving funds and cash revolving accounts for the City and County of San Francisco departments.
(Controller)

10/23/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. **070851** **[Polk Street Neighborhood Commercial District Zoning Controls]**
Supervisor Peskin
Ordinance amending the San Francisco Planning Code by amending Section 121.2 to move Polk Street from a 3,000 square foot lot size limit to a 2,000 square foot lot size limit and by amending Section 723 to provide that commercial and institutional uses in the Polk Street Neighborhood Commercial District are permitted up to 1,999 square feet and allowed as a conditional use for 2,000 square feet and above; adopting findings, including Section 302 findings, environmental findings, and findings of consistency with Section 101.1 and the General Plan.

10/23/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, McGoldrick

4. 070738 [Planning - Inner Clement Street Neighborhood Commercial District - full-service restaurants and bars]

Supervisor McGoldrick

Ordinance amending Planning Code Sections 716.1, 716.41, and 716.42 of the Inner Clement Street Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new wine and beer bar uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

10/23/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Peskin

5. 071234 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

25th Street and Minnesota Street, stopping Minnesota Street, making this uncontrolled intersection a two-way STOP;

Hampshire at 17th Street, stopping Hampshire Street, the stem of this T-intersection;

Cesar Chavez Street at Castro Street, stopping Cesar Chavez Street, making this uncontrolled intersection a two-way STOP;

Edna Street at Joost Avenue, stopping Edna Street, the stem of this T-intersection;

Ankeny Street and Ordway Way, stopping Ankeny Street, making this intersection an All-Way STOP; and,

Hudson Avenue at Cashmere Street, stopping Hudson Avenue, making this intersection an All-Way STOP.

(Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

Question: Shall this Resolution be ADOPTED?

6. 071235 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Masonic Avenue, northbound and southbound, at Turk Street (extending turn restriction time from 6 PM to 7 PM).

NO LEFT TURN - ESTABLISH

13th Street at Harrison Street, eastbound

(Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

Question: Shall this Resolution be ADOPTED?

7. 071324 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 7 AM TO 7 PM, EVERYDAY EXCEPT BUSES AND TAXIS - ESTABLISH

5th Street, southbound, at Mission Street.

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Sandoval, Peskin

8. 071236

[Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

10th Street, west side, between Bryant Street and Division Street.

PARKING METER AREA NO. 2 (1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND

PARKING METER AREA NO. 2 (2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

11th Street, both sides, between Market and Mission Streets.

PARKING METERS (AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Clay Street, south side, from 106 feet west of Webster Street to 73 feet east of Fillmore Street.

ANGLE (45-DEGREE) PARKING - RESCIND

20th Avenue, east side, from Ortega Street to 144 feet southerly.

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH

Colin P. Kelly Jr. Street, east side, between Brannan Street and Townsend Street, adding 2 Townsend Street to Residential Permit Parking Area Y.

2 HOUR SIGNED PARKING TIME LIMIT - RESCIND

PARKING METERS (AREA 1, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Brannan and Townsend Streets, between 2nd Street and Colin P. Kelly Jr. Street.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Leavenworth Street, west side, between Lombard Street and Greenwich Street;

Lombard Street, south side, between Leavenworth and Jones Streets.

PARKING METER AREA NO. 2 (1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Stevenson Street, north side, from 7th Street to western terminus.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

7th Street, west side, from Stevenson Street to 62 feet southerly;

7th Street, west side, from 128 feet south of Stevenson to Mission Street (248-foot zone);

Mission Street, north side, from 308 feet west of 7th Street to 38 feet westerly.

PASSENGER LOADING ZONE, 6 AM TO 7 PM, MONDAY THROUGH FRIDAY, TOW-AWAY NO STOPPING ALL OTHER TIMES -- ESTABLISH

7th Street, west side, from 62 feet south of Stevenson to 128 feet southerly (66-foot zone).

YELLOW LOADING ZONE, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY, TOW-AWAY NO STOPPING ALL OTHER TIMES -- ESTABLISH

Mission Street, north side, from 111 feet west of 7th Street to 197 feet westerly (4 meters).

(Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

Question: Shall this Resolution be ADOPTED?

9. **071289** **[STOP Intersections]**
 Supervisor Alioto-Pier
 Resolution designating certain intersections as "STOP" intersections.
 STOP SIGNS - ESTABLISH
 Alhambra Street and Mallorca Way, stopping Alhambra Street, making this intersection an all-way STOP.

Question: Shall this Resolution be ADOPTED?

10. **071323** **[STOP Intersections]**
 Resolution designating certain intersections as "STOP" intersections.
 STOP SIGNS – ESTABLISH
 20th Avenue and Moraga Street, stopping 20th Avenue, making this intersection an All-Way STOP;
 Pacheco Street at 41st Avenue, stopping the stem of this currently uncontrolled T-intersection;
 Both ends of Dormitory Road at Northridge Road/Jerrold Avenue and at Kiska Road/Kirkwood Avenue, stopping the stem of these currently uncontrolled T-intersections.
 (Parking and Traffic Department)
 (9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

Question: Shall this Resolution be ADOPTED?

11. 071325 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

1550 - 1562 22nd Street (includes these addresses to be eligible for Area "X" permits, but no signs will be posted on the street).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Ivy Street, both sides, between Buchanan and Webster Streets (signs will only be posted on the north side because of NPAT on the south side), and;

Webster Street, east side, between Ivy and Grove Streets.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Laurel Street, east side, between California Street and Mayfair Drive.

NO PARKING ANYTIME - RESCIND

Linden Street, north side, from 82 feet to 101 feet west of Gough Street.

COMPACT VEHICLES ONLY - ESTABLISH

Linden Street, north side, from 82 feet to 101 feet west of Gough Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Linden Street, south side, from 40 feet to 136 feet west of Gough Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Geary Boulevard, south side, Masonic Avenue frontage road to 70 feet westerly (removes parking meter #2703).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Page Street, south side, from Laguna Street to 20 feet easterly; and,

Laguna Street, east side, from Page Street to 21 feet southerly.

2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND

Gough Street, east side, from Geary Boulevard to Ellis Street.

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND

Gough Street, west side, from Eddy Street to Golden Gate Avenue.

TOW-AWAY, NO PARKING, 1 AM TO 6 AM, DAILY - ESTABLISH

Clementina Street, south side, from Gallagher Lane to 5th Street,

TOW-AWAY, NO PARKING, MIDNIGHT TO 6 AM, DAILY ESTABLISH

Gallagher Lane, west side, from 20 feet north of Clementina Street to Tehama Street; and,

Gallagher Lane, east side, from Clementina Street to 20 feet south of Tehama Street.

4-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, EXCEPT SATURDAY AND SUNDAY - ESTABLISH

San Bruno Avenue, east side, between 15th and Alameda Streets; and,

15th Street, both sides, between San Bruno and Vermont Streets.

(Parking and Traffic Department)

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell

12. 071374 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)]
Supervisor Maxwell
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of \$200,000 from the Department of Justice (DOJ), Office of Justice Programs (OJP), FY2007 Weed and Seed Program for the purpose of supporting activities to prevent, control and reduce violent crime, drug abuse, and gang activity in the designated Weed and Seed area in the Visitacion Valley neighborhood.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

13. 071411 [Settlement of Lawsuit - Robert Kellogg, Jr.]
Ordinance authorizing settlement of the lawsuit filed by Robert Kellogg, Jr., against the City and County of San Francisco and Philip J. Welsh for \$150,000; the lawsuit was filed on January 6, 2006 in San Francisco Superior, Case No. 446-493; entitled Robert Kellogg, Jr. v. City and County of San Francisco, et al.
(City Attorney)

10/23/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 071412 [Settlement of Lawsuit - Mitchell Engineering/J. Fletcher Creamer & Son, Inc.]
Ordinance authorizing settlement of the lawsuit filed by Mitchell Engineering/J. Fletcher Creamer & Son, Inc. against the City and County of San Francisco for \$775,000; the lawsuit was filed on July 6, 2005 in San Joaquin County Superior Court, Case No. CV 026863; entitled Mitchell Engineering/J. Fletcher Creamer & Son, Inc., et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 071384 [Settlement of Unlitigated Claim - PG&E]
Resolution approving the settlement of the unlitigated claim filed by Pacific Gas & Electric against San Francisco for \$238,594; claim was filed on June 19, 2007.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget & Finance Committee Without Recommendation

Present: Supervisors Peskin, Dufty, McGoldrick

16. 070961 [Recreation and Park Commission--Authorization to Modify Golf Course Hours and Fees; Creation of Golf Course Task Force]
Supervisor McGoldrick
Ordinance adding Section 12.46 to Article 12 of the San Francisco Park Code to authorize the Recreation and Park Commission to modify golf course hours and fees; and to create a Golf Course Task Force that will evaluate measures to reduce General Fund support for operation and maintenance of golf courses, and explore alternative revenue sources.
(Supervisor Dufty dissented in committee.)

8/14/2007, AMENDED.

8/14/2007, CONTINUED AS AMENDED. Continued to October 16, 2007

10/16/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/16/2007, CONTINUED AS AMENDED. Continued as amended to October 23, 2007

10/23/2007, CONTINUED. Continued to October 30, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors McGoldrick, Alioto-Pier, Jew

17. 071258 [Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program]
Supervisors McGoldrick, Maxwell, Mirkarimi
Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 23, 2007

10/23/2007, CONTINUED. Continued to October 30, 2007

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

18. 071385 [Authorizing the Department of Telecommunications and Information Services to amend an agreement with CA, Inc. to extend the term of the agreement from ten years to twelve years and five months with an additional option period for two one year periods]
Resolution authorizing the Department of Telecommunications and Information Services ("DTIS") to retroactively enter into the Second Amendment of an agreement between the City and County of San Francisco ("City") and CA, Inc. ("CA") to extend term of the agreement to twelve years and five months with an additional option period for two additional one-year periods.
(Telecommunications and Information Services)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

19. 071395 [Multifamily Housing Revenue Bonds - Bishop Swing Community House]
Supervisor Daly
Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$18,942,066 for the purpose of providing financing for a multifamily rental housing project to be known as Bishop Swing Community House; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a construction loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

Question: Shall this Resolution be ADOPTED?

20. 071401 [Support Goals for Federal Funding-Community Development Block Grant]
Supervisor Maxwell
Resolution supporting Fiscal Year 2008-2009 Community Development Block Grant (CDBG) Action Plan Goals.

Question: Shall this Resolution be ADOPTED?

21. 071402 [Expend Federal Funding - Community Development Block Grant]
Supervisor Maxwell
Resolution approving the expenditure of \$137,728 of Community Development Block Grant funding.

Question: Shall this Resolution be ADOPTED?

22. 071435 [Authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal and State transportation grants expiring on June 30, 2008]
Supervisor Peskin
Resolution authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal and State transportation grants expiring on June 30, 2008.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Sandoval, Peskin

23. 071257 [San Francisco Fire Code]
Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2007 San Francisco Fire Code consisting of the 2007 California Fire Code and portions of the 2006 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings.
(Fire Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 071274 [San Francisco Building Code]
Ordinance repealing the San Francisco Building Code in its entirety and replacing that code with a new 2007 San Francisco Building Code consisting of the 2007 California Building Code, which is based upon the 2006 International Building Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.
(Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 071275 [San Francisco Electrical Code]
Ordinance repealing the San Francisco Electrical Code in its entirety and replacing that code with a new 2007 San Francisco Electrical Code consisting of the 2007 California Electrical Code, which is based upon the 2005 National Electrical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.
(Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 071276 [San Francisco Housing Code]
Ordinance repealing the San Francisco Housing Code in its entirety and replacing that code with a new 2007 San Francisco Housing Code to conform to the new numbering system of the 2007 California Building Code and to re-enact San Francisco's local amendments to the State Housing Code with minor changes; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 071277 [San Francisco Mechanical Code]
Ordinance repealing the San Francisco Mechanical Code in its entirety and replacing that code with a new 2007 San Francisco Mechanical Code consisting of the 2007 California Mechanical Code, which is based upon the 2006 Uniform Mechanical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 071278 [San Francisco Plumbing Code]
Ordinance repealing the San Francisco Plumbing Code in its entirety and replacing that code with a new 2007 San Francisco Plumbing Code consisting of the 2007 California Plumbing Code, which is based upon the 2006 Uniform Plumbing Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 071015 [Rescind One Hour Meters and Establish Two Hour Meters on 1900 Polk Street]
Supervisor Peskin
Resolution rescinding one hour meters and establishing two hour meters on the 1900 Block of Polk Street.
PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 1-HOUR
PARKING - RESCIND
PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 2-HOUR
PARKING - ESTABLISH

1900 block of Polk Street, both sides, between Jackson and Pacific Streets.
(No Economic Impact)

9/25/2007, SUBSTITUTED. Supervisor Peskin submitted a substitute resolution bearing new title.

Question: Shall this Resolution be ADOPTED?

30. 071409 [Street Artist Winter Holiday Spaces]
Supervisor Dufty

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2007, beginning on November 15, 2007 and ending on January 15, 2008.
(Arts Commission)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

31. 070410 [San Francisco Bonding Program]
Supervisor Mirkarimi

Ordinance adding Article VIII to Article 20 of the San Francisco Administrative Code to create the San Francisco Bonding Program and to authorize the City to purchase bonds for employers who agree to hire hard-to-place employees.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee Without Recommendation

32. 070946 [Amending the Rules of Order Governing the Board of Supervisors]
Supervisors Alioto-Pier, Dufty

Motion to amend the Rules of Order Governing the Board of Supervisors.
(No Economic Impact)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 3:30 P.M.**

33. 070967 **[Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)
(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)
- 7/24/2007, CONTINUED. The President inquired as to whether any member of public wished to address the Board Members.
Continued to September 11, 2007
- 9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to October 16, 2007
- 10/16/2007, CONTINUED. The President of the Board inquired as to whether any member of the public wished to address the Board members
Continued to October 30, 2007
- Action:** _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

34. 070968 **[Minor Sidewalk Encroachment Permit Appeal]**
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.
- 7/24/2007, CONTINUED. Continued to September 11, 2007
- 9/11/2007, CONTINUED. Continued to October 16, 2007
- 10/16/2007, CONTINUED. Continued to October 30, 2007
- Question: Shall this Motion be APPROVED?**

35. 070969 [Minor Sidewalk Encroachment Permit Appeal]

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

7/24/2007, CONTINUED Continued to September 11, 2007

9/11/2007, CONTINUED Continued to October 16, 2007

10/16/2007, CONTINUED Continued to October 30, 2007

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**36. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)**37. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

Question: Shall this Motion be APPROVED?

38. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

Question: Shall this Motion be APPROVED?

39. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Special Meeting on October 25, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 30, 2007.

40. 070672 [Initiative Petition Circulator Identification Requirements]
Supervisor Daly
Ordinance amending the Municipal Elections Code by adding Section 335 to require initiative petition circulators to display a badge disclosing whether they are volunteer or paid circulators.

Question: Shall this Ordinance be PASSED ON FIRST READING?
41. 071090 [Regulation of False Political Telemarketing Through Persuasion Polls]
Supervisors Daly, Ammiano, Mirkarimi
Ordinance amending the Campaign and Governmental Conduct Code by adding Section 1.160.5 to require that persons conducting or paying for telephonic persuasion polls must disclose information to call recipients during the telephone calls and must file disclosures with the San Francisco Ethics Commission.

9/18/2007, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing the same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 071221 [Requiring meeting agendas of a policy body to include attendance records for members of the body]
Supervisor Daly
Ordinance amending Section 67.7 of the Administrative Code to require meeting agendas for a policy body to include attendance records for members of the body.

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. 071222 [Amending Section 16.9-25 of the Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision]
Supervisor Daly
Ordinance amending Section 16.9-25 of the Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

44. 071290 [Filing of Mass Mailings Paid for with Independent Expenditures]
Supervisor Daly
Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.161 and repealing Section 1.162 to require persons making independent expenditures to pay for mass mailings that support or oppose candidates for City elective office to file those mailings and itemizations of costs with the Ethics Commission.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 071439 [Confirmation of Director of Office of Citizen Complaints]
Mayor
Motion confirming appointment of Joyce Hicks as Director of the Office of Citizen Complaints.

Question: Shall this Motion be APPROVED?

The following item will be considered by the City Operations and Neighborhood Services Committee on October 25, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 30, 2007.

46. 071424 [Accept-expend State Grant Funds available under the California Cultural and Historical Endowment to fund the Palace of Fine Arts Rotunda Restoration Project]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of \$1,451,250 for the restoration of the Palace of Fine Arts Rotunda, under Proposition 40 California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California State Library, California Cultural and Historical Endowment.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Land Use and Economic Development Committee on October 29, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 30, 2007.

47. 061163 [Zoning - Conditional Use for Change in use of an elementary or secondary school]
Supervisor Alioto-Pier

Ordinance amending the Planning Code to add Section 209.3A and Section 217.1 to require conditional use authorization for any project involving the change in use of an elementary or secondary school; making environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 070617 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses]
Supervisor Alioto-Pier

Ordinance amending Planning Code Sections 790.55, 790.102, 249.5, 781.8, 781.9, 782, 783, and 784 to remove grocery stores and other similar uses from prohibitions placed on the establishment of liquor stores in certain districts; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. 071058 [Support for development of City-controlled electric generation project]
Supervisors Maxwell, Duffy, Ammiano, Peskin

Resolution supporting the Combustion Turbine project proposed by the Public Utilities Commission for the development of a City-controlled combustion turbine project to promote the goals of the City's Electricity Resource Plan, and endorsing the financial term sheet for the CT project.

7/24/2007, REFERRED to Land Use and Economic Development Committee. Supervisor Daly requested that this matter be referred to Committee.

Supervisors Duffy and Ammiano requested to be added as co-sponsors.

10/23/2007, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing new title.

Question: Shall this Resolution be ADOPTED?

50. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

51. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 52 through 62

52. 071450 [Urging the Attorney General to clarify how Penal Code 3003 and the transient provision in Penal Code Section 290 apply to Jessica's Law (Proposition 83)]
Supervisor McGoldrick
Resolution urging the Attorney General to clarify how Penal Code 3003 and the transient provision of Penal Code 290 apply to Jessica's Law (Proposition 83).

10/16/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
10/23/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
10/23/2007, CONTINUED AS AMENDED. Continued as amended to October 30, 2007.
Question: Shall this Resolution be ADOPTED?
53. 071472 [Declaring November 14, 2007 as World Diabetes Day in the City and County of San Francisco]
Supervisors Dufty, Peskin
Resolution declaring November 14, 2007 as World Diabetes Day in the City and County of San Francisco.

10/23/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

54. 071473 [Accept and expend gift in the amount of \$50,000]
Supervisor Chu
Resolution retroactively accepting and expending a gift in the amount of \$50,000 from the San Francisco Parks Trust.
- 10/23/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
55. 071474 [Accept and expend gift in the amount of \$25,000]
Supervisor Chu
Resolution accepting and expending an estate bequest gift of \$25,000 from the estate of Dr. Dorothee Haken to the Recreation and Park Department for the San Francisco Botanical Garden.
- 10/23/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
56. 071475 [Landmark designation nomination for tree located in Bernal Heights Natural Area]
Supervisor Ammiano
Resolution of intent initiating the nomination of the Blue Elderberry Tree (*Sambucus mexicana*) located at Folsom Street and Bernal Heights Boulevard in Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.
- 10/23/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
57. 071476 [Landmark designation nomination for tree located at 3555 Cesar Chavez Street]
Supervisor Ammiano
Resolution of intent initiating the nomination of the Moreton Bay Fig tree (*Ficus macrophylla*) located at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.
- 10/23/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
58. 071477 [Landmark designation nomination for two trees located at 500 Cortland Street in front of Bernal Heights Library]
Supervisor Ammiano
Resolution of intent initiating the nomination of two Flowering Ash trees (*Fraxinus ornus*) located at 500 Cortland Street, in front of Bernal Heights Library (Assessor's Block 5707, Lot 027) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.
- 10/23/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

59. 071478 [Catholic Charities CYO]
Supervisor Peskin
Resolution commending Catholic Charities CYO for 400 Years of Service.
- 10/23/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
60. 071479 [Urging Speaker Nancy Pelosi to continue to support and immediately schedule a vote on HR 106, which reaffirms the proper recognition of the Armenian genocide]
Supervisors Peskin, Dufty, Daly, Maxwell, Elsbernd, Mirkarimi, Ammiano, Sandoval, McGoldrick, Chu
Resolution urging Speaker Nancy Pelosi to continue to support and immediately schedule a vote on House Resolution 106, which reaffirms the U.S. record of the Armenian Genocide.
- 10/23/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
61. 071456 [Final Map - 4501 Irving Street]
Motion approving Final Map 2532, a 9 Unit Mixed-Use Condominium Project, located at 4501 Irving Street being a subdivision of Lot 052 in Assessors Block No. 1801 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,196; District 4)
- 10/19/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
62. 071457 [Final Map - 1521 Sutter Street]
Motion approving Final Map 4083, a 28 Unit Residential Condominium Project, located at 1521 Sutter Street being a subdivision of Lot 020 in Assessors Block No. 0688 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,184; District 2)
- 10/19/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

63. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 16, 2007 through October 22, 2007, for reference by President to appropriate committee on October 30, 2007.

071458 [Amendment to Contract for Electric Services]

Ordinance approving the amendment between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the performance of duties and obligations of a Scheduling Coordinator pursuant to the California Independent System Operator Tariff and for the delivery of low cost electric power to Treasure Island and Yerba Buena Island on file with the Clerk of the Board of Supervisors in File No. 041351; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.19 of the San Francisco Administrative Code which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code which requires that every contract contain a statement regarding liability of claimants for submitting false claims.

(Public Utilities Commission)

10/16/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071459 [Settlement of Lawsuit - Pacific Gas and Electric Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$10,000; the lawsuit entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al., Case No. RG-05-246128, was filed on December 9, 2005 in Alameda County Superior Court; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071459.

(City Attorney)

10/17/2007, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 16, 2007 through October 22, 2007, for reference by President to appropriate committee on October 30, 2007.

071460 [Easement Modification and Relocation Agreement - University of California Parnassus Heights Campus]

Resolution approving and authorizing the execution and delivery of an Easement Modification and Relocation Agreement between The Regents of the University of California ("University") and the City and County of San Francisco, acting by and through its Public Utilities Commission (collectively referred to hereafter as the "City"), authorizing the City's acceptance of a Modified and Restated Grant of Easement and Agreement For Expanded Storage Tank Easement, the City's quitclaim of the Existing Storage Tank Easement to the University, the City's acceptance of a Grant of Easement and Agreement For New Pump Station Easement and the City's quitclaim of the Existing Pump Station Easement to the University following completion of the Project; adopting findings of consistency with the General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting environmental findings.
(Real Estate Department)

10/18/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071461 [Approval of Lease No. GS-09B-02006 with the United States of America at San Francisco International Airport]

Resolution approving and authorizing the execution of Lease No. GS-09B-02006 with the United States of America for office space to be occupied by the Transportation Security Administration, a Federal agency, in the International Terminal of San Francisco International Airport.
(Airport Commission)

10/19/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071462 [Request authorization by the Board to adopt the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2007-08]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2007-08 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for Fiscal Year 2007-08.
(Public Health Department)

10/19/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071493 [Petitions and Communications]

Petitions and Communications received from October 16, 2007 through October 22, 2007 for reference by the President to October 30, 2007

From concerned citizens, submitting opposition to the proposed creation of a Golf Course Task Force. File 070961, Copy: Each Supervisor, 52 letters (1)

From Office of the Controller, regarding status on the Controller's office re-examination of rotating Captains every two years. (Reference 20070911-008) (2)

From Ethics Commission, regarding proposed legislation to add Chapter 5 to Article III of the Campaign and Government Conduct Code. File 071220, Copy: Rules Committee Members (3)

From Christian Holmer, regarding an immediate disclosure request from various City departments. 2 letters (4)

From May Wong, commenting on the de Young Museum. Copy: Supervisor McGoldrick (5)

From Winson Lew, commenting on the Lights Out San Francisco energy conservation event scheduled for October 20, 2007. (6)

From United Brotherhood of Carpenters and Joiners of America Local Union No. 2236, regarding designation of 900 Innes Avenue as San Francisco Landmark #250. 2 letters (7)

From Coalition for San Francisco Neighborhoods, regarding a resolution requiring better notice to neighborhoods by policy making bodies. (8)

From Round the Diamond, regarding Piers 27-31 mixed-use recreation project; sports and public service pathways. Copy: Each Supervisor (9)

From The Lexington Club, commenting on the increasing violence in the neighborhood. Copy: Supervisor Ammiano (10)

From Francisco Da Costa, commenting on injunctions against gang members. (11)

From Fran Taylor, commenting on an article published in the Chronicle and Examiner regarding the death of a pedestrian. (12)

From Felicia A. Elizondo, commenting on bringing Senior and History Day to the LGBT Center. (13)

From Public Utilities Commission Citizens Advisory Committee, submitting resolution concerning the establishment of pay-for-service electric rates for all City departments and buildings. Copy: Each Supervisor (14)

From Department of Elections, regarding preparations for the November 6, 2007 Municipal Election. (15)

From Joan E. Cottrell, submitting copy of letter to the City Attorney regarding a claim filed. (16)

From Designing Accessible Communities, regarding letter of support for proposed ordinance regarding fire-safe elevators. 2 letters (17)

From Designing Accessible Communities, regarding the newly installed Otis Elevator "Destination Based Elevator" system. 3 letters (18)

From Department of Public Health, regarding deemed approved uses ordinance report. Copy: Each Supervisor (19)

From Ivan Edgar Pratt, commenting on the Santa Barbara fires. (20)

From National Organization of African Americans in Housing, commenting on the San Francisco Housing Authority. (21)

From Linda Conn, commenting on the Folsom Street Fair. 2 letters (22)

From concerned citizens, commenting on this year's Halloween party in the Castro. 2 letters (23)

From Francisco Da Costa, regarding Hunters Point Shipyard Parcel A. 2 letters (24)

From Michael R. Beasley, commenting on the meaning of being a "veteran". (25)

From Kimo Crossman, regarding records-related disaster preparedness training for State and local governments. (26)

From James Chaffee, regarding monitors to confirm the media feed from laptops used during public comment. (27)

From San Francisco Arts Commission, submitting fiscal year 2007-2008 first quarter report. (28)

From Emile Lawrence, submitting copy of letter to SF Police Chief regarding a complaint against an officer. (29)

From Office of Assessor-Recorder, regarding Federal solar tax credit. (30)

From Mission Anti-Displacement Coalition, regarding request to withdraw Mitigated Negative Declaration appeal for 700 Valencia Street. File 071248, Copy: Each Supervisor (31)

From Scott San Filippo, commenting on Comcast blocking user access. Copy: Each Supervisor (32)

From concerned citizens, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 4 letters (33)

From Daniel Long, commenting on loud noise associated with commercial construction taking place in his neighborhood. (34)

From Francisco Da Costa, commenting on the San Francisco Planning Department. (35)

From Janette Barroca, regarding an incident at Cow Hollow playground. Copy: Supervisor Alioto-Pier (36)

From Francisco Da Costa, commenting on the Mayor's Office of Economic Development and Work Force. (37)

From Bilingual Community Senior Advocates, regarding the San Francisco Housing Authority. 3 letters (38)

From Gerri Hayes, commenting on the SFGOV.TV daily schedule. (39)

From Dr. Ahimsa Porter Sumchai, commenting on Lennar Corporation. (40)

From Ken Kolden, commenting on a drug park in San Francisco. (41)

From General Services Agency, submitting request for waiver of Administrative Code 12B for San Francisco Community College District. (42)

From Department of Public Works, regarding status on removing graffiti from news stands in various locations in District 5. (Reference 20071016-048) Copy: Supervisor Mirkarimi (43)

From Department of Public Works, regarding status on removing graffiti from mailboxes and garbage cans in various locations in District 5. (Reference 20071016-051) Copy: Supervisor Mirkarimi (44)

From Department of Public Works, regarding status on removing graffiti from phone switch boxes in various locations in District 5. (Reference 20071016-052) Copy: Supervisor Mirkarimi (45)

From Department of the Environment, regarding status on inquiry on month-to-month leases. (Reference 20071016-006) Copy: Supervisor Elsbernd (46)

From Office of the Controller/Budget and Analysis Division, submitting special report concerning establishing an Office of Special Events in San Francisco. (47)

From Mary Miles, regarding request for continuance of proposed legislation related to the Market and Octavia Area Plan. File 071156, Copy: Each Supervisor (48)

From Mary Miles, regarding public comment on proposed adoption of legislation related to the Market and Octavia Area Plan. File 071156, Copy: Each Supervisor (49)

From Planning Department, submitting Central Subway Draft SEIS/SEIR environmental review document. (50)

ADJOURNMENT

Legislation Pending Under the “30 Day Rule”

These items may not be heard by Committee until the date in the right hand column.

As Revised October 25, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending SF Planning Code to provide a limited number of new full-service restaurants in the Union Street Neighborhood Commercial District	071425	Land Use & Economic Development Committee	Supervisor Alioto-Pier	10/16/07	11/16/07
Draft Ordinance amending SF Police Code requiring fair retail pricing requiring motor fuel refiners to divest themselves of company – operated service stations	071426	Rules Committee	Supervisor Ammiano	10/16/07	11/16/07
Draft Ordinance amending SF Police Code to prohibit franchise and fuel supply agreements to limit agreements to purchase alternative motor fuel	071427	Rules Committee	Supervisor Ammiano	10/16/07	11/16/07
Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws	071471	Rules Committee	Supervisor Alioto-Pier	10/23/07	11/26/07



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 6, 2007 2:00 PM

DOCUMENTS DEPT.

NOV - 2 2007

Regular Meeting

SAN FRANCISCO
PUBLIC LIBRARY

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynn

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

2nd and 4th Thursdays

1:00 PM

1st and 3rd Mondays

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Alioto-Pier, Chu, Maxwell

1. 071418 [Approval of the Ryan White HIV/AIDS Treatment Modernization Act grant application]
Supervisor Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an application by the deadline of November 5, 2007, to the Health Resources Services Administration (HRSA) to continue to receive funding for the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Programs, Part A); for the next grant year, March 1, 2008 through February 28, 2009, with an expected amount of approximately \$36,118,233 in funding for the San Francisco Eligible Metropolitan Area (EMA).
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

2. 071430 [Accept-Expend Private Foundation Grant - Back on Track Program]
Supervisor Duffy
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of \$25,000 from the Metta Fund Health Foundation for a program entitled "Back on Track" for fiscal year 2007/2008.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. 071257 [San Francisco Fire Code]
Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2007 San Francisco Fire Code consisting of the 2007 California Fire Code and portions of the 2006 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings.
(Fire Department)

10/30/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 071274 [San Francisco Building Code]

Ordinance repealing the San Francisco Building Code in its entirety and replacing that code with a new 2007 San Francisco Building Code consisting of the 2007 California Building Code, which is based upon the 2006 International Building Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.
(Building Inspection Department)

10/30/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 071275 [San Francisco Electrical Code]

Ordinance repealing the San Francisco Electrical Code in its entirety and replacing that code with a new 2007 San Francisco Electrical Code consisting of the 2007 California Electrical Code, which is based upon the 2005 National Electrical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.
(Building Inspection Department)

10/30/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 071276 [San Francisco Housing Code]

Ordinance repealing the San Francisco Housing Code in its entirety and replacing that code with a new 2007 San Francisco Housing Code to conform to the new numbering system of the 2007 California Building Code and to re-enact San Francisco's local amendments to the State Housing Code with minor changes; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission; and making environmental findings.
(Building Inspection Department)

10/30/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 071277 [San Francisco Mechanical Code]

Ordinance repealing the San Francisco Mechanical Code in its entirety and replacing that code with a new 2007 San Francisco Mechanical Code consisting of the 2007 California Mechanical Code, which is based upon the 2006 Uniform Mechanical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.
(Building Inspection Department)

10/30/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 071278 [San Francisco Plumbing Code]
Ordinance repealing the San Francisco Plumbing Code in its entirety and replacing that code with a new 2007 San Francisco Plumbing Code consisting of the 2007 California Plumbing Code, which is based upon the 2006 Uniform Plumbing Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings.
(Building Inspection Department)

10/30/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

9. 071412 [Settlement of Lawsuit - Mitchell Engineering/J. Fletcher Creamer & Son, Inc.]
Ordinance authorizing settlement of the lawsuit filed by Mitchell Engineering/J. Fletcher Creamer & Son, Inc. against the City and County of San Francisco for \$775,000; the lawsuit was filed on July 6, 2005 in San Joaquin County Superior Court, Case No. CV 026863; entitled Mitchell Engineering/J. Fletcher Creamer & Son, Inc., et al., v. City and County of San Francisco, et al.
(City Attorney)

10/30/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 071455 [Appointment - Library Citizens Advisory Committee]
Resolution appointing Margaret Lee to the Library Citizens Advisory Committee.
Margaret Lee, succeeding Maryam Daryabegi-Far, seat 13, term expired, must be a member from the community at large, representative of New Americans for whom English is a second language, for the unexpired portion of a two-year term ending July 18, 2008.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation from the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

11. 070617 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses]
 Supervisor Alioto-Pier
 Ordinance amending Planning Code Sections 790.55, 790.102, 249.5, 781.8, 781.9, 782, 783, and 784 to remove grocery stores and other similar uses from prohibitions placed on the establishment of liquor stores in certain districts; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

10/30/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Alioto-Pier, Chu, Maxwell

12. 071254 [Landmark Tree Designation of Coast Live Oak tree at 4124 - 23rd Street]
Supervisor Duffy
Ordinance designating the Coast Live Oak tree at 4124 23rd Street (Assessor's Block 2803, Lot 3) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.
(Environment)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

13. 071394 [Urging restoration of two-way traffic on Ellis and Eddy Streets]
Supervisor Daly
Resolution urging the Municipal Transportation Agency to restore two-way traffic on the length of Eddy and Ellis Streets, to consolidate the Muni 31 and 27 routes onto Eddy Street, and to develop detailed plans and a phased implementation strategy for transportation and streetscape improvements to these streets to enhance their role as east-west pedestrian, bicycle, and transit corridors.
14. 071343 [Street encroachment sensu sculpture as a gateway icon for Japantown on Webster Street]
Supervisor Mirkarimi
Ordinance granting revocable permission to the Japanese Cultural and Community Center of Northern California to occupy a portion of the public right-of-way for the installation of a sensu sculpture on the median of Webster Street between Geary Boulevard and Post Street in the Japantown neighborhood; waiving right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 071432 [Street encroachment on Linden Street between Gough Street and Octavia Boulevard]
Supervisor Mirkarimi
- Ordinance granting revocable permission to 300 Linden LLC to occupy the public right-of-way to construct street encroachment improvements on a portion of Linden Street, an unaccepted public right-of-way, between Gough and Octavia Boulevard, including new landscaping, raised stamped and colored asphalt paving, ADA approved detectable warning material, raised planters and granite curbstones for seating; waiving right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, McGoldrick

16. 071097 [Urging restoration of two-way traffic on Hayes Street]
Supervisor Mirkarimi
- Resolution urging the Municipal Transportation Agency to restore two-way traffic on the block of Hayes Street between Gough and Franklin streets, to restore the pedestrian crossing of Gough Street on the south side of Hayes Street, and develop a detailed plan and implementation strategy for streetscape improvements to the Hayes Valley Commercial District along Hayes Street between Franklin and Laguna streets.

7/31/2007, REFERRED to Land Use and Economic Development Committee. Supervisor Mirkarimi requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

Recommendations from the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Daly

17. 071369 [Sweatfree Contracting Ordinance Amendments]
Supervisor Ammiano
- Ordinance amending Sections 12U.2, 12U.3, and 12U.9 of the Administrative Code, and adding Section 12U.9.5, to (1) provide a system for awarding contracts to a bidder or proposer most substantially in compliance, but not in full compliance, with the Sweatfree Contracting Ordinance, when no bids or proposals are in full compliance, but only where such awards would not increase the cost of the contract by more than fifteen percent; and (2) make other changes in the Sweatfree Contracting Ordinance, including revising and simplifying the monetary threshold triggering coverage of certain subcontracts; relaxing the ban on mandatory overtime; referencing retirement benefits in calculation of wages; and relaxing the requirement for contractors' providing information as to amounts to be paid to subcontractors by providing that amounts be reported within a monetary range rather than as an exact dollar figure.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 071003 [Consolidating the Public Campaign Financing Programs for Mayor and Board of Supervisors]
Supervisor Daly
Ordinance amending Sections 1.104, 1.108, 1.130, 1.134, 1.134.5, 1.136, 1.138, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and repealing Sections 1.138.5, 1.140.5 and 1.144.5 of the Campaign and Governmental Conduct Code to combine the separate partial public financing programs for candidates for the Board of Supervisors and candidates for Mayor into one partial public financing program and raising the expenditure ceiling for candidates for the Board of Supervisors to \$140,000.
(No Economic Impact)
(Supervisor Elsbernd dissented in Committee)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 071090 [Regulation of False Political Telemarketing Through Persuasion Polls]
Supervisors Daly, Ammiano, Mirkarimi
Ordinance amending the Campaign and Governmental Conduct Code by adding Section 1.160.5 to require that persons conducting or paying for telephonic persuasion polls must disclose information to call recipients during the telephone calls and must file disclosures with the San Francisco Ethics Commission.
(Supervisor Elsbernd dissented in Committee)

9/18/2007, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing the same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 070672 [Initiative Petition Circulator Identification Requirements]
Supervisor Daly
Ordinance amending the Municipal Elections Code by adding Section 335 to require initiative, recall and referendum petition circulators to display a badge disclosing whether they are volunteer or paid circulators and requiring circulators to disclose the name(s) of the proponents of the petition upon request.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 071221 [Requiring meeting agendas of a policy body to include attendance records for members of the body]
Supervisor Daly
Ordinance amending Section 67.7 of the Administrative Code to require meeting agendas for a policy body to include attendance records for members of the body.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Elsbernd, Daly

22. 071290 [Filing of Mass Mailings Paid for with Independent Expenditures]
Supervisor Daly

Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.161 and repealing Section 1.162 to require persons making independent expenditures to pay for mass mailings that support or oppose candidates for City elective office to file those mailings and itemizations of costs with the Ethics Commission, and renumbering Section 1.162.5.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Daly

23. 071222 [Amending Section 16.9-25 of the Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision]
Supervisor Daly

Ordinance amending Section 16.9-25 of the Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER

Board of Supervisors Sitting as a Committee of the Whole

24. 071488 [Hearing and public comment relating to considerations of applicants for and appointment of outside Legal Counsel to advise and represent the Board of Supervisors in the official misconduct proceedings against Supervisor Edmund Jew]
Hearing to allow all applicants to present their qualifications and allow members of the public to comment on applications submitted for providing services to the Board of Supervisors for the official misconduct proceedings against Supervisor Edmund Jew; possible selection by the Board of Supervisors for outside Legal Counsel for said proceedings. (Clerk of the Board)

Action: _____

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee meeting on November 1, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 6, 2007.

**25. 071495 [Consolidating the Public Campaign Financing Programs for Mayor and Board of Supervisors]
Supervisor Daly**

Ordinance amending sections 1.104, 1.108, 1.130, 1.134, 1.134.5, 1.136, 1.138, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and repealing sections 1.138.5, 1.140.5 and 1.144.5 of the Campaign and Governmental Conduct Code to combine the separate partial public financing programs for candidates for the Board of Supervisors and candidates for Mayor into one partial public financing program and raising the expenditure ceiling for candidates for the Board of Supervisors to \$140,000.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Rules Committee at a Special Meeting on November 6, 2007 at 1:30 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 6, 2007.

**26. 071468 [Confirmation - San Francisco Redevelopment Agency]
Mayor**

Resolution confirming the appointment of Richard Swig by the Mayor to the San Francisco Redevelopment Agency.

Question: Shall this Resolution be ADOPTED?

27. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

28. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 29 through 36

29. 071500 [Congratulating Rabbi Doug Kahn in honor of 25 years of service with the Jewish Community Relations Council]
Supervisors Dufty, Peskin
Resolution congratulating Rabbi Doug Kahn in honor of his 25 years of service with the Jewish Community Relations Council.

10/30/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 071501 [Opposing the Social Security Administration's "No-Match" Letters]
Supervisor Ammiano
Resolution opposing the Social Security Administration's "No Match" letters which compel employers to take corrective action against workers whose names do not match their proffered Social Security numbers.

10/30/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 071502 [Opposing the Employment Non Discrimination Act (ENDA) if gender protection is not included]
Supervisors Ammiano, Dufty
Resolution opposing the Employment Non Discrimination Act (ENDA) if it does not include protections for gender identity, calling on elected leaders to introduce ENDA legislation with gender identity protections and calling on elected leaders to protect the rights of the LGBT community.
- 10/30/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
32. 071503 [Aer Lingus]
Supervisors Elsbernd, Alioto-Pier, Daly
Resolution commending the San Francisco – Cork City Sister City Committee for its work bringing Aer Lingus to SFO and commemorating October 28, 2007 as the inaugural date for direct service between San Francisco and Ireland.
- 10/30/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
33. 071505 [Urging Medical Cannabis Dispensaries to implement compassionate care programs to serve low and no income patients]
Supervisor Mirkarimi
Resolution urging Medical Cannabis Dispensaries to implement compassionate care programs to serve low and no income patients and provide receipts for medical services and consultation for patients to seek Medi-Cal reimbursement.
- 10/30/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
34. 071506 [Urging President George W. Bush to allow the United States to join the group of nations that ratify and agree to be bound by the United Nations Convention on the Rights of Person's with Disabilities]
Supervisor Alioto-Pier
Resolution urging President George W. Bush to sign the United Nations Convention on the Rights of Persons with Disabilities and allow the United States to join the group of nations that have ratified and agreed to be bound by the Convention.
- 10/30/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
35. 071499 [Authorizing preparation of Proponent/Opponent ballot argument and rebuttal ballot argument for submittal to the voters at the February 8, 2008 Election]
Motion authorizing preparation of written Proponent and Opponent ballot argument and rebuttal ballot argument for a bond measure approved by the Board of Supervisors for submittal to the voters at the February 8, 2008 Election.
(Clerk of the Board)
- 10/30/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

36. 071481 [Final Map - 55 Page Street]

Motion approving Final Map 3805, a 128 Residential Unit and 4 Commercial Unit Mixed-Use Condominium Project, located at 55 Page Street being a subdivision of Lot 009 in Assessors Block No. 0854 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,222; District 6)

10/26/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

37. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

Proposed resolutions received from October 23, 2007 through October 29, 2007, for reference by the President to the appropriate committee on November 6, 2007.

071480 [Re-Appointment - Local Homeless Coordinating Board]

Resolution re-appointing Christine Ma, M.D., for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived.
(Controller)

10/24/2007, RECEIVED AND ASSIGNED to Rules Committee.

071483 [Settlement of Grievance - Service Employees International Union, AFL-CIO, Local 790 ("Union")]

Resolution approving the settlement of the grievance (ERD No. 81-06-1465) filed by Service Employees International Union, AFL-CIO, Local 790 ("Union") on behalf of Grievant Victoria Sargent against the City and County of San Francisco for \$133,751.52. Other material terms of said settlement is that Grievant and Union shall release all claims relating to Grievant's employment with the City and that Grievant shall be restricted from any future employment with the City.
(City Attorney)

10/26/2007, RECEIVED AND ASSIGNED to Rules Committee.

071530 [Petitions and Communications]

Petitions and Communications received from October 23, 2007 through October 29, 2007 for reference by the President to November 6, 2007

From Karen Makely, MD, requesting the Board of Supervisor's help regarding the plans to close the pediatric inpatient service and Neonatal Intensive Care Unit at St. Luke's hospital by November 15th. (1)

From Amy P. Hart, M.D., Chief Medical Examiner, submitting response regarding month to month leases. (Reference 20071016-021). (2)

From Office of the Mayor, submitting appointment to the Residential Rent Stabilization and Arbitration Board effective October 22, 2007. (3)

From Angela Calvillo, Clerk of the Board, informing the Board that Supervisor Chu has submitted Form 700 Statement of Economic Interests. (4)

From Office of Legislative Analyst, submitting Legislative Analyst Report regarding Municipal Anti-Graffiti Programs. (5)

From concerned citizen, concerning vacancies on the Citizens' General Obligation Bond Oversight Committee. (6)

From concerned citizens, opposing Combustion Turbines that use Fossil Fuel Power Plants in our communities. 5 Letters (7)

From Son Tuc, concerning gas burning power plants from J-Power. (8)

From Department of Public Works, submitting a copy of the response to Shelley Simonton regarding Lyon Street greenstrip. (9)

From Health Commission, submitting a Health Commission resolution supporting proposed changes to the Institutional Master Plan Review Process and approving a Health Commission Policy regarding Health Department Analysis of Institutional Master Plans. File No. 070678 (10)

From Fine Arts Museums of San Francisco, submitting response regarding month to month leases. (Reference 2007-1016-021) (11)

From Department of Elections, submitting Department of Elections Emergency Plan for November 6, 2007 Municipal Election. (12)

From Office of the Controller, City Services Auditor, submitting Parks, Streets, and Sidewalk Maintenance Annual Report. (13)

From Kim Malcheski, regarding 700 Valencia CEQA appeal, No 2005-0351E. Copies: Each Supervisor (14)

From Rent Board, regarding request for information on month to month leases. (Reference 20071016-029) (15)

From Richard Skaff, submitting a copy of letter sent to Mr. Isam Hasenin, Director, Department of Building Inspections regarding Disability Access issues. (16)

From Dan Nguyen-Tan, submitting support for Healthy Saturdays legislation. File No. 070489, Copies: Each Supervisor (17)

From Peggy Carter, concerning biodegradable plastic bags. (18)

From Francisco Da Costa, concerning the 5th Annual Portola Festival. (19)

From Daniel Long concerning allowable construction times in the City. (20)

From Patrick Monette-Shaw, commenting on the rebuilding at Laguna Honda Hospital which would reduce beds. (21)

From Ted Strawser, submitting opposition to the support of Proposition H. (22)

From Heather Fong, Chief of Police, responding to request for month to month leases information. (Reference #20071016-018) (23)

From Eve Love, submitting support of the Blue Angels. File No. 071232, Copies: Each Supervisor (24)

From Office of the Controller, submitting Fiscal Year 2006-2007 Surplus Transfers Report. (25)

From Building Inspection Commission, submitting Decision on Appeal of Director's determination to grant an extension to file for an extension (Permit #200105239812), 770 Montgomery Street. (26)

From Department of Public Health, Laguna Honda Hospital & Rehabilitation Center, submitting quarterly report to show Laguna Honda Hospital's compliance with the reversal of the Admission Policy priorities that took place February 22, 2005. (27)

From Sunset Parkside Education and Action Committee, submitting support for the Landmark Designation #205 for 900 Innes Avenue. (28)

From Annika Todd, submitting support for the Earthlink/Google Wi-Fi agreement. (28)

From Richard S. Zeilenga, submitting a copy of letter sent to the Office of the Treasurer/Tax Collector regarding the address that should be used for all correspondence. (29)

From Supervisor Chris Daly, regarding Affordable Housing Charter Amendment. File No. 070724, Copies: Rules Committee Members (30)

From Joan Boyle, commenting on the treatment of Charter schools at the School Fair. (31)

From Department of Public Works, submitting Quarterly Report of the Department of Public Works Defective Sidewalk Repair Revolving Account for the period of July 1, 2007 through September 30, 2007. (32)

From Office of the Controller, submitting Controller's Report on FY 2007-08 Salary and Benefits Reserve Transfers – Quarter 1 (33)

From Tom Radulovich, opposing the Bart Station early closures planned on Halloween. (34)

From Christian Holmer, regarding immediate disclosure request from various City departments. 2 letters (35)

From SF City Clinic, submitting San Francisco Monthly STD Report. (36)

From Angela Calvillo, Clerk of the Board, advising members of the Board of Supervisors of the deadline to request a hearing on the Mayor's appointment to the Residential Rent Stabilization and Arbitration Board. (37)

From Francisco Da Costa, commenting on the Juvenile Justice Reform work shop which was organized by the Berkeley Center for Criminal Justice held October 26 and 27, 2007 at the Boalt Hall School of Law. (38)

From Department of Telecom & Information Services, regarding status of inquiry on the \$50m in UPA funds to expand SF-GO's fiber network. Reference 20070925-004) (39)

From concerned citizens, submitting petition urging the Board to protect safe access to Medical Cannabis. File No. 071126 Copies: Land Use Committee Members (40)

From Department of Transportation, submitting report documenting information regarding the illegal discharge of hazardous waste which could cause substantial injury to the public health of safety. (41)

From Olga Astromoff, requesting the Board of Supervisor's assistance to stop the budget cuts to programs for people with mental illness. (42)

From James Chaffee, regarding saving our libraries. (43)

From James Kasper, submitting an electronic copy of an article entitled "The End of America As We Know It". (44)

From Christian Holmer, submitting copy of email sent to Senator Feinstein and Speaker of the House Pelosi regarding immediate disclosure request. (45)

From Immigrant Rights Commission, submitting a copy of Resolution Opposing the Social Security "No-Match" Letters. Copy: Each Supervisor (46)

From San Francisco Arts Commission, responding to request for month to month leases information. (Reference #20071016-018) (47)

ADJOURNMENT



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 13, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursdays
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday

1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

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The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the October 16, 2007 and October 23, 2007 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note. Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition 1 in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Alioto-Pier, Chu, Maxwell

1. 071254 [Landmark Tree Designation of Coast Live Oak tree at 4124 - 23rd Street]

Supervisor Dufty

Ordinance designating the Coast Live Oak tree at 4124 23rd Street (Assessor's Block 2803, Lot 3) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.
(Environment)

11/6/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

2. 071343 [Street encroachment sensu sculpture as a gateway icon for Japantown on Webster Street]

Supervisor Mirkarimi

Ordinance granting revocable permission to the Japanese Cultural and Community Center of Northern California to occupy a portion of the public right-of-way for the installation of a sensu sculpture on the median of Webster Street between Geary Boulevard and Post Street in the Japantown neighborhood; waiving right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

11/6/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 071432 [Street encroachment on Linden Street between Gough Street and Octavia Boulevard]
Supervisor Mirkarini
Ordinance granting revocable permission to 300 Linden LLC to occupy the public right-of-way to construct street encroachment improvements on a portion of Linden Street, an unaccepted public right-of-way, between Gough and Octavia Boulevard, including new landscaping, raised stamped and colored asphalt paving, ADA approved detectable warning material, raised planters and granite curbstones for seating; waiving right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

11/6/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Daly

4. 071290 [Filing of Mass Mailings Paid for with Independent Expenditures]
Supervisor Daly
Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.161 and repealing Section 1.162 to require persons making independent expenditures to pay for mass mailings that support or oppose candidates for City elective office to file those mailings and itemizations of costs with the Ethics Commission, and renumbering Section 1.162.5.

11/6/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Elsbernd, Peskin

5. 071494 [Appointment - Peak Oil Preparedness Task Force]
Resolution appointing Jason Mark, Marya Stark and Patricia Gerber to the Peak Oil Preparedness Task Force, terms ending October 5, 2008.
Jason Mark, new appointment, seat 5, must represent the public at-large, for a one-year term ending October 5, 2008.
Marya Stark, new appointment, seat 6, must represent the public at-large, for a one-year term ending October 5, 2008.
Patricia Gerber, new appointment, seat 7, must represent the public at-large, for a one-year term ending October 5, 2008.

Question: Shall this Resolution be ADOPTED?

6. 071496 [Appointment - Local Homeless Coordinating Board]
Resolution appointing Laura Guzman, term ending October 21, 2009, to the Local Homeless Coordinating Board, residency requirement waived.
Laura Guzman (residency requirement waived), succeeding herself, term expired, seat 1, must be a member of the disabled community, for a two-year term ending October 21, 2009.

Question: Shall this Resolution be ADOPTED?

7. 071497 [Appointment - Child Care Planning and Advisory Council]

Resolution appointing Natalie Brutto, term ending December 31, 2009, and Noushin Mofakham, term ending December 31, 2010, to the Child Care Planning and Advisory Council; residency requirement waived.

Natalie Brutto, succeeding herself, term expired, seat 5, must be a nominee of District 5 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for the unexpired portion of a three-year term ending December 31, 2009.

Noushin Mofakham (residency requirement waived), succeeding Chris Cleary, term expired, seat 6, must be a nominee of District 6 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for a new three-year term ending December 31, 2010.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

8. 071532 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses]
Supervisor Alioto-Pier
Ordinance amending Planning Code Sections 790.55 to further define grocery stores.
- 11/6/2007, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations from the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

9. 070410 [San Francisco Bonding Program]
Supervisor Mirkarimi
Ordinance amending Chapter 30 of the San Francisco Administrative Code to add Article II thereto to create the San Francisco Bonding Program and to authorize the City to purchase bonds for employers who agree to hire hard-to-place employees.
- 10/30/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
10/30/2007, CONTINUED AS AMENDED. Continued as amended to November 13, 2007
Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Elsbernd, Daly

10. 070672 [Initiative Petition Circulator Identification Requirements]
Supervisor Daly
Ordinance amending the Municipal Elections Code by adding Section 335 to require initiative, recall and referendum petition circulators to display a badge disclosing whether they are volunteer or paid circulators and requiring circulators to disclose the name(s) of the proponents of the petition upon request.
- 11/6/2007, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

11. 071003 [Consolidating the Public Campaign Financing Programs for Mayor and Board of Supervisors]
Supervisors Daly, Peskin
Ordinance amending Sections 1.104, 1.108, 1.130, 1.134, 1.134.5, 1.136, 1.138, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and repealing Sections 1.138.5, 1.140.5 and 1.144.5 of the Campaign and Governmental Conduct Code to combine the separate partial public financing programs for candidates for the Board of Supervisors and candidates for Mayor into one partial public financing program and raising the expenditure ceiling for candidates for the Board of Supervisors to \$140,000.
(No Economic Impact)
(Supervisor Elsbernd dissented in Committee)

11/6/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Peskin added as a co-sponsor.

11/6/2007, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

12. 071090 [Regulation of False Political Telemarketing Through Persuasion Polls]
Supervisors Daly, Ammiano, Mirkarimi
Ordinance amending the Campaign and Governmental Conduct Code by adding Section 1.160.5 to require that persons conducting or paying for telephonic persuasion polls must disclose information to call recipients during the telephone calls and must file disclosures with the San Francisco Ethics Commission.
(Supervisor Elsbernd dissented in Committee)

9/18/2007, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing the same title.

11/6/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 071369 [Sweatfree Contracting Ordinance Amendments]
Supervisor Ammiano
Ordinance amending Sections 12U.2, 12U.3, and 12U.9 of the Administrative Code, and adding Section 12U.9.5, to (1) provide a system for awarding contracts to a bidder or proposer most substantially in compliance, but not in full compliance, with the Sweatfree Contracting Ordinance, when no bids or proposals are in full compliance, but only where such awards would not increase the cost of the contract by more than fifteen percent; and (2) make other changes in the Sweatfree Contracting Ordinance, including relaxing the ban on mandatory overtime; referencing retirement benefits in calculation of wages; and relaxing the requirement for contractors' providing information as to amounts to be paid to subcontractors by providing that amounts be reported within a monetary range rather than as an exact dollar figure.

11/6/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/6/2007, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present. Supervisors Peskin, Ammiano, Duffy

14. 071460 [Easement Modification and Relocation Agreement - University of California Parnassus Heights Campus]
Resolution approving and authorizing the execution and delivery of an Easement Modification and Relocation Agreement between The Regents of the University of California ("University") and the City and County of San Francisco, acting by and through its Public Utilities Commission (collectively referred to hereafter as the "City"), authorizing the City's acceptance of a Modified and Restated Grant of Easement and Agreement For Expanded Storage Tank Easement, the City's quitclaim of the Existing Storage Tank Easement to the University, the City's acceptance of a Grant of Easement and Agreement For New Pump Station Easement and the City's quitclaim of the Existing Pump Station Easement to the University following completion of the Project; adopting findings of consistency with the General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting environmental findings.
(Real Estate Department)
- Question: Shall this Resolution be ADOPTED?
15. 071465 [Directing the controller transfer funds that were previously budgeted for the Office of the Legislative Analyst to the Budget Analyst]
Supervisors Sandoval, Mirkarimi, Peskin
Resolution directing the controller to transfer funds that were previously budgeted for the Office of the Legislative Analyst to the Budget Analyst for actuary services.
- Question: Shall this Resolution be ADOPTED?
16. 071466 [Funding Agreement for 2007 Spare the Air Campaign]
Supervisor Ammiano
Resolution approving the Funding Agreement between the Metropolitan Transportation Commission and the City and County of San Francisco for the 2007 Spare the Air/Free Transit campaign.
- Question: Shall this Resolution be ADOPTED?
17. 071437 [Appropriating \$372,596 of Revenue from State Mandated Costs for Prisoner Boarding in the Sheriff's Department Retroactive to Fiscal Year 2006-07]
Mayor
Ordinance appropriating \$372,596 of Revenue from State Mandated Costs for Prisoner Boarding in the Sheriff's Department Retroactive to Fiscal Year 2006-07.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Duffy

18. 071438 [Mortgage Revenue Bonds - Mason Street Supportive Housing]

Mayor

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$30,000,000 for Mason Street Supportive Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$30,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, Ammiano, Duffy

From the Budget and Finance Committee With Recommendation "Do Not Pass"

19. 071386 [Approving a contract with anticipated expenditures in excess of \$10 million]

Resolution approving an Agreement between the City and County of San Francisco and S & S Trucking (Contractor) for hauling biosolids (sludge) and grit estimated to exceed \$10 million, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government and Audit Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier

20. 071136 [Recreation and Park Department - Camping, Sleeping]

Mayor

Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Sandoval, McGoldrick

21. 070489 [Closing specified streets in Golden Gate Park on Saturdays]

Supervisor McGoldrick

Ordinance amending Section 6.13 of the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from the first Saturday in April to the last Saturday in September; requesting development of an improvement plan for Middle Drive West between Transverse Drive and Metson Road; and making environmental findings.

10/30/2007, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing the same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 070671 [Amending the Planning Code to Create the Fringe Financial Service Restricted Use District and Making Related Zoning Map Amendments]

Supervisor Ammiano

Ordinance amending San Francisco Planning Code Sections 249.5, 781.8, 781.9, 782, and 783 and adding Section 249.35 to the San Francisco Planning Code to create a noncontiguous Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions; amending San Francisco Planning Code Section 312 to require certain notice in Neighborhood Commercial Districts; amending San Francisco Planning Code Section 227 to add Fringe Financial Service Use to the Commercial District Zoning Control Table; amending San Francisco Planning Code Sections 702.4, 703.2 and 710 through 730 to add Fringe Financial Service Use to the Neighborhood Commercial District Zoning Control Tables; adding Section 790.111 and 890.113 to the San Francisco Planning Code to define a Fringe Financial Service Use; amending San Francisco Planning Code Sections 790.110, 790.112, 890.110, and 890.112 to require that use applications for Financial Services and Limited Financial Services include a copy of any state-issued license; amending San Francisco Planning Code Sections 803.2, 810, 811, and 812 to add Fringe Financial Service Use to the Chinatown Zoning Control Tables; amending San Francisco Planning Code Sections 814 through 818 to add Fringe Financial Service Use to certain Zoning Control Tables in the South of Market area; amending San Francisco Planning Code Section 827 to add Fringe Financial Service Use to the Rincon Hill Downtown Residential Mixed Use District Zoning Control Table; amending Zoning Maps Numbers SU01, SU02, SU06, SU07, SU08, and SU10 of Zoning Map of the City and County of San Francisco to indicate the boundaries of the Fringe Financial Service Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(5/23/07 - Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

23. 071056 [Centralization of Workforce Development Efforts Under the Department of Economic and Workforce Development]
Supervisors Mirkarimi, Peskin, Ammiano, Maxwell
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 30, Sections 30.1 through 30.8, to: 1) centralize the City's workforce development policy and oversight under the Department of Economic and Workforce Development (DEWD), or successor department; 2) require the Director of Economic and Workforce Development to manage all general fund expenditures on workforce development, create City-wide workforce development policy, develop a Funding Allocation Plan for workforce development funds and annually report on workforce development policies to the Board of Supervisors; 3) require City departments to enter into Memoranda of Understanding with DEWD as a condition of administering workforce development dollars; 4) require the Mayor to submit the names of prospective appointees to the Local Work Force Investment Board to the Board of Supervisors for approval or to appoint two members of the Board of Supervisors to the Local Workforce Investment Board; 5) create a community advisory committee to the Local Workforce Investment Board; and, 6) require that the Workforce Investment Act Local Plan be submitted for review and comment to the Board of Supervisors, and by amending Administrative Code Section 83.6 to place the administration of the First Source Hiring Program under the DEWD.

8/14/2007, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

24. 071265 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2721 Pierce Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007, Case No. 2006.1415D, (Building Permit Application No. 2006.07.03.5586) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The proposal consists of adding two windows on the facade, removing a rear sun porch and adding a two-story rear addition at 2721 Pierce Street, Lot 006 in Assessor's Block 0560. (Appellants: Susan Brandt-Hawley on behalf of Judge Carlos Bea and Louise Bea)
(Filed August 31, 2007; Companion Files to 071266, 071267, 071268; District 2.)

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

25. 071266 [Affirming the Categorical Exemption issued for 2721 Pierce Street]

Motion affirming the determination by the Planning Department that the 2721 Pierce Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

10/2/2007, CONTINUED. Continued to November 13, 2007

Question: Shall this Motion be APPROVED?

26. 071267 **[Disapproving the Categorical Exemption issued for 2721 Pierce Street]**
Motion disapproving the determination by the Planning Department that the 2721 Pierce Street project is categorically exempt from environmental review under the California Environmental Quality Act.

10/2/2007, CONTINUED. Continued to November 13, 2007

Question: Shall this Motion be APPROVED?

27. 071268 **[Preparation of findings related to the 2721 Pierce Street Project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2721 Pierce Street is exempt from environmental review under the California Environmental Quality Act.

10/2/2007, CONTINUED. Continued to November 13, 2007

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

28. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007.

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved)

29. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to November 13, 2007

Question: Shall this Motion be APPROVED?

30. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to November 13, 2007

Question: Shall this Motion be APPROVED?

31. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to November 13, 2007

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

32. 071319 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 376 Eureka Street]
- Hearing of persons interested in or objecting to the decision of the Planning Department dated May 2, 2007, Case No. 2005.0365E, exempting from environmental review under Categorical Exemption Class 1 [State CEQA Guidelines, Sections 15301(a) and (c)]. The project would expand an existing one-story-plus attic, 1,056-square-foot single-family dwelling and minor alterations to an accessory rear one-story-plus-attic, 300-square-foot cottage on an approximately 3,250-square-foot lot. The proposed expansion consists of a two-story, approximately 24-foot-high, 22-foot-deep addition to the rear of the dwelling, which would add approximately 1,020 square feet of habitable area. In addition, the project includes raising the dwelling by 2 feet and constructing an approximately 800-square-foot below-grade garage and basement area increasing the building height from 16-1/2 feet to 18-1/2 feet. The existing front set back of 11-1/2 feet would not change. In addition, the proposal would alter an accessory rear one-story-plus-attic, 300-square foot cottage by removing a kitchen. The project site (Assessor's Block 2749, Lot 017) is within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. (Appellant: F. Joseph Butler, AIA, on behalf of Susan Lally and Priscilla Botsford)
- (Filed September 14, 2007; companion measure to 071320, 071321, 071322; District 8.)

10/23/2007, CONTINUED. The President inquired as to whether any member wished to address the members of the Board. Continued to November 13, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved)

33. 071320 [Affirming the Categorical Exemption issued for the 376 Eureka Street Project]
- Motion affirming the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
- 10/23/2007, CONTINUED. Continued to November 13, 2007
- Question: Shall this Motion be APPROVED?
34. 071321 [Disapproving the Categorical Exemption issued for the 376 Eureka Street Project]
- Motion disapproving the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

10/23/2007, CONTINUED. Continued to November 13, 2007

Question: Shall this Motion be APPROVED?

35. 071322 [Preparation of findings related to the 376 Eureka Street Project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 376 Eureka Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

10/23/2007, CONTINUED. Continued to November 13, 2007

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Budget & Finance Committee at a Special Meeting on Tuesday, November 13, 2007 at 1:30 p.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, November 13, 2007.

36. 071333 [Municipal Identification Cards]
Supervisors Ammiano, Peskin, Dufty, Mirkarimi, Sandoval, McGoldrick, Daly
Ordinance adding Section 95.2 to the San Francisco Administrative Code authorizing the County Clerk to issue municipal identification cards upon request to residents of the City and County of San Francisco.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 071533 [Issuance and Sale of Tax-Exempt Bonds - San Francisco Planning and Urban Research Association]
Supervisors Peskin, Dufty
Resolution approving the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$7,000,000 to finance and refinance the acquisition and construction of capital facilities owned by San Francisco Planning and Urban Research Association or an affiliate.

Question: Shall this Resolution be ADOPTED?

38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

This measure was introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

40. 071539 [Authorizing the office of the Clerk of the Board of Supervisors to provide clerical, administrative and logistical assistance to the San Francisco Local Agency Formation Commission]

Supervisor Mirkarini

Resolution authorizing the Office of the Clerk of the Board of Supervisors to provide clerical, administrative and logistical assistance to the San Francisco Local Agency Formation Commission for the purpose of instituting its Advice and Monitoring Project with respect to CCA Program Implementation as requested by the San Francisco Board of Supervisors and for the Clerk of the Board of Supervisors to seek reimbursement from LAFCo therefor.

11/6/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Question on the For Adoption Without Committee Reference
Agenda: _____*

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 30, 2007 through November 5, 2007, for reference by the President to the appropriate committee on November 13, 2007.

- 071511 [Revising Double Parking Restrictions for Municipal Railway Bus Routes on Stockton Street]**
Ordinance amending the San Francisco Traffic Code by amending Section 53 to revise restrictions on double parking on Municipal Railway Bus Routes on Stockton Street.
(Municipal Transportation Agency)

11/2/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 071513 [Settlement of City's Lawsuit Against Dynegy, Inc., Dynegy Marketing and Trade and West Coast Power LLC]**
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$480,000 to the City from defendants Dynegy, Inc. and its affiliates Dynegy Marketing and Trade and West Coast Power LLC.
(City Attorney)

11/5/2007, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 30, 2007 through November 5, 2007, for reference by the President to the appropriate committee on November 13, 2007.

071508 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Wayland Street at Girard Street, stopping Wayland Street, making this intersection an All-Way STOP;

18th Street and San Carlos Street, stopping San Carlos Street;

Byxbee and Shields Streets, stopping Shields Street, making this intersection an All-Way STOP;

Ralston and Shields Streets, stopping Shields Street, making this intersection an All-Way STOP;

Delano and Santa Ynez Avenues, stopping Delano Avenue, making this intersection an All-Way STOP;

Delano and San Juan Avenues, stopping Delano Avenue, making this intersection an All-Way STOP;

Ostego and Santa Ynez Avenues, stopping Santa Ynez Avenue, making this intersection an All-Way STOP;

Marview Way and Palo Alto Avenue, stopping westbound Palo Alto Avenue;

Annapolis Terrace at Turk Boulevard;

Roselyn Terrace at Turk Boulevard;

Kittredge Terrace at Turk Boulevard; and,

Temescal Terrace at Turk Boulevard.

(Parking and Traffic Department)

(11/1/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3430.)

11/2/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071509 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - ESTABLISH

Ocean Avenue, eastbound at Howth Street

NO LEFT TURN AFTER BALLPARK EVENTS - ESTABLISH

Armstrong Avenue, westbound, at 3rd Street, (after events at Monster Park)
(Parking and Traffic Department)

(11/1/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3430.)

11/2/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071510 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

27th Avenue, west side, from driveway of 671 27th Avenue to 5.5 feet northerly.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM TO 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Belgrave Avenue, both sides, from west of Stanyan Street to the eastern terminus

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM TO 8 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Hill Street, both sides, between Guerrero and Valencia Streets (Unit block).

RESIDENTIAL PERMIT PARKING AREA "N" - ESTABLISH

Fulton Street, north side, between 14th and 15th Avenues (3800 block).

Note: No signs will be posted on the block, but residents will be eligible for permits.

PARKING METERS, AREA NO. 3 (30-MINUTE AND 1-HOUR PARKING TIME LIMITS, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND

La Playa Street, east side, between Balboa and Cabrillo Streets (700 block).

VANPOOL PARKING ONLY, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND

Van Ness Avenue, east side, between McAllister Street and Grove Street.

TOW-AWAY, NO STOPPING - ESTABLISH

5th Street, west side, from Harrison Street to 120 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Holyoke Street, south side, from Ankeny Street to 120 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street, both sides, between 23rd and 24th Streets (1100 block)

COMPACT VEHICLES ONLY - ESTABLISH

1608 Treat Avenue, west side, from 5 feet to 12.5 feet north of the north property line of 1651 Treat Avenue (creates one compact car parking box measuring 7.5 feet wide by 13 feet long).

TOW-AWAY, NO PARKING, MIDNIGHT TO 10 A.M., MONDAY THROUGH FRIDAY - ESTABLISH

15th Street, north side, between Florida and Bryant Streets

PARKING METERS AREA 2, (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Townsend Street, south side, between 7th and 8th Streets, on portions where parking is not prohibited.

PARKING METERS, AREA NO. 3, (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND

Masonic Avenue, east side, north of Turk Street (200 block)

(Parking and Traffic Department)

(11/2/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3430.)

11/2/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 071512** [Juvenile Probation & Camps Funding Program Agreement-Juvenile Probation Department]
Resolution authorizing the Juvenile Probation Department to participate in the Juvenile Probation & Camps Funding Program used to pay for direct services to children.
(Juvenile Probation Department)

11/2/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 071514** [Prevailing wages for workers on public works/improvement projects; janitorial services; public off-street parking lots, garages, or auto storage facilities; theatrical services; moving services; and hauling solid waste]
Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City.
(Civil Service Commission)

11/5/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071545 [Petitions and Communications]

Petitions and Communications received from October 30, 2007 through November 5, 2007 for reference by the President to November 13, 2007

From Recreation and Park Department, submitting report for the 1st quarter of FY07-08 in response to the requirements of Resolution 157-99 Lead Poisoning Prevention. (1)

From Department of Elections, submitting Disclaimer Requirements for Local Ballot Measures: Endorse, Oppose or Take No Position on a Measure (Municipal Election Code (MEC) Section 500 © (8). (2)

From San Francisco Arts Commission, submitting response regarding month to month leases. (Reference 20071016-021). (3)

From Clerk of the Board, informing the Board that Legislative Assistant, Colleen Crowley has submitted Form 700 Statement of Economic Interests. (4)

From California Department of Public Health, submitting Alternate Year Agreement Funding Application (AFA) Approval, Allocation Agreement #200738-FY2007/2008. (5)

From Department of Elections, regarding Voting System Update #5: Secretary of State Modifies Conditions on Use of ES&S System; Department of Elections Seeks Reimbursement from ES&S for Costs Associated with Conditions; Colorado Secretary of State Suspends Certification Testing of ES&S System. (6)

From Human Services Agency, submitting Human Services Care Fund: FY07-08 1st Quarter Update. (7)

From Airport Commission, submitting Concession Review of D-Lew Enterprises, LLC, dba II Formaio Caffè del Mondo. (8)

From First 5 San Francisco (Children and Families Commission), submitting Financial Statement Audit July 1, 2006 through June 30, 2007. (9)

From Office of the Controller, City Services Auditor, submitting Annual Report Fiscal Year 2006-2007. (10)

From Port of San Francisco, submitting As-Needed Professional Service Contracts – Fiscal Year 2007/08; First Quarter Report for the Period July 1, 2007 – September 30, 2007. (11)

From Alexander Mamak, submitting his resignation letter from the Graffiti Advisory Board, effective December 8, 2007. (12)

From Planning Department, submitting Planning Commission Recommendations for Case No. 2007-0514T. File No. 070623, Copies: Land Use Committee Members. (13)

From Building Inspection Commission, submitting revised Decision on Appeal of Director's determination to grant an extension to file for an extension (Permit #200105239812). (14)

From Department of Emergency Management, submitting response regarding month to month leases. (Reference 20071016-021). (15)

From Planning Department, submitting response regarding month to month leases. (Reference 20071016-021). (16)

From Department of Public Works, submitting Revised Order #177,188, announcing the opening of

ticket sales for the 2008 Condominium Conversion Lottery and the proposed date, time, and location of the lottery drawing. (17)

From concerned citizens, opposing the City's plans for Halloween night and Bart closures. 3 Letters (18)

From concerned citizens, supporting the City's plans for Halloween night. Copy: Supervisor Dufty, Received 2 Letters. (19)

From Troy Nickol, regarding commutes on 10/29 and 10/30 – T-Line. Copy: Supervisor Maxwell. (20)

From Philip Susser, expressing concerns about "critical mass" in San Francisco. Copy: Each Supervisor (21)

From Vicki Leidner, supporting the Blue Angels flying over San Francisco. File No. 071232, Copy: Each Supervisor. (22)

From Diana Anderson, regarding the pending sale of the Flower Market. (23)

From concerned citizens, supporting the EarthLink Wi-Fi Agreement. Received 2 Letters (24)

From Francisco Da Costa, submitting opposition to Combustion Turbines that use Fossil Fuel Power Plants in our communities. (25)

From concerned citizens, expressing concerns regarding Lennar being fined by Bay Area Air Quality Management District the maximum \$25,000 a day for over 385 days plus. Received 2 Letters (26)

From Dr. Ahimsa Porter Sumchai, regarding possible Sunshine Ordinance violation complaint. (27)

From Dr. Ahimsa Porter Sumchai, regarding possible Ethics Commission violation. (28)

From Christian Holmer, regarding immediate disclosure request from various City departments. (29)

From Mirna Escobar, regarding alleged neglect and discrimination practices against immigrants and whites in various housing authority properties. Received 4 Letters. (30)

From concerned citizens, submitting support for the Golf Courses in San Francisco. File No. 070961, Copies: Each Supervisor. (31)

From Association of Bay Area Governments, regarding several areas in San Francisco being nominated as Priority Conservation Areas (PCA) for the FOCUS regional planning program. (32)

From Kevin Reed, President The Green Cross, regarding actions taken by San Francisco Deputy Sheriffs' on Halloween night in the Castro. (33)

From Edith McMillan, opposing the Shanghai Chinese Tea Garden & Pool proposed for Golden Gate Park. File No. 071330, Copies: Land Use Committee Members. (34)

From Ruth Wheeler, submitting support for the proposed Park Camping & Sleeping Legislation. File No. 071136, Copies: Each Supervisor. (35)

From MTA, Department of Parking and Traffic, submitting response regarding review of pedestrian signals for the intersection of Masonic Ave. and Hayes St. (36)

From Allison Spanpanato, submitting a copy of letter sent to Planning Commission opposing the pending Building Permit Application No. 2007.08.22.0519 for the retail store "Batteries Plus". (37)

From Marilyn Amini, regarding a continuation request for the Market and Octavia Area Plan hearing. File Nos. 071157 and 071158. (38)

From Stephen Schwichow, opposing the vote by the Board to reject a code of conduct for the Board of Supervisors. File No. 070946, Copies: Each Supervisors. (39)

From concerned citizens, submitting support for building a new skatepark in Golden Gate Park. File No. 070134, Copies: Each Supervisor. (40)

From Mani Drayton, expressing concerns regarding the San Francisco State University proposed new development. Copies: Each Supervisor. (41)

From Francisco Da Costa, regarding Wharf 10 and related issues. (42)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised November 8, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending SF Planning Code to provide a limited number of new full-service restaurants in the Union Street Neighborhood Commercial District	071425	Land Use & Economic Development Committee	Supervisor Alioto-Pier	10/16/07	11/16/07
Draft Ordinance amending SF Police Code requiring fair retail pricing requiring motor fuel refiners to divest themselves of company – operated service stations	071426	Rules Committee	Supervisor Ammiano	10/16/07	11/16/07
Draft Ordinance amending SF Police Code to prohibit franchise and fuel supply agreements to limit agreements to purchase alternative motor fuel	071427	Rules Committee	Supervisor Ammiano	10/16/07	11/16/07
Ordinance amending SF Administrative Code relating to the standards of care of City shelters	071518	Budget & Finance Committee	Supervisor Ammiano	11/6/07	12/6/07
Ordinance amending Public Works Code relating to café and chairs permit fees	071521	Budget & Finance Committee	Supervisor Chu	11/6/07	12/6/07
Ordinance amending SF Administrative Code to provide that tenants in units subject to Section 37.9 be given written disclosure of rights before and after sale of rental property	071522	Land Use & Economic Development Committee	Supervisor Daly	11/6/07	12/6/07
Ordinance to prohibit the conversion of large tourist hotels into condominium projects	071258	Land Use & Economic Development Committee	Supervisors Peskin, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi	11/6/07	12/6/07

Ordinance to allow the Public Defender and other criminal defense attorneys an investigators to obtain community safety camera recordings	071536	Land Use & Economic Development Committee	Supervisor Sandoval	11/6/07	12/6/07
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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 20, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

DOCUMENTS DEPT.

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursdays
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday

1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

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**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the October 30, 2007 Meeting Minutes

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty

1. 071437 [Appropriating \$372,596 of Revenue from State Mandated Costs for Prisoner Boarding in the Sheriff's Department Retroactive to Fiscal Year 2006-07]
Mayor
Ordinance appropriating \$372,596 of Revenue from State Mandated Costs for Prisoner Boarding in the Sheriff's Department Retroactive to Fiscal Year 2006-07.
(Fiscal Impact.)

11/13/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

2. 071462 [Request authorization by the Board to adopt the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2007-08]
Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2007-08 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for Fiscal Year 2007-08.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

3. 071470 [State grants to fund food and agricultural projects]
Supervisor Maxwell
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend three grants totaling \$2,877.43, from the California Department of Food and Agriculture (CDFA); for the period of July 1, 2007 through June 30, 2008.

Question: Shall this Resolution be ADOPTED?

4. 071491 [To allow San Francisco Fire Department (SFFD) to accept and expend the California Volunteers - Office of the Governor's Grant for Neighborhood Emergency Response Team (NERT) programs]
Supervisor Chu
Resolution retroactively authorizing the San Francisco Fire Department (SFFD) to accept and expend a new grant in the amount of \$75,095 from the California Volunteers - Office of the Governor for the period of April 1, 2007, to January 31, 2008 to support the Neighborhood Emergency Response Team (NERT) in the development and sharing of innovative, promising, and best practices in Citizen Preparedness and Participation that address all volunteers in all phases in emergency management.

Question: Shall this Resolution be ADOPTED?

5. 071504 [Accept-Expend Grant Funds - Recreation and Parks Department - \$75,000]
Supervisor Elsbernd
Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of \$75,000 for the Golden Gate Park Spreckels Temple of Music Restoration awarded by the American Express Partners in Preservation Grant Program administered by the National Trust for Historical Preservation.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

6. 070671 [Amending the Planning Code to Create the Fringe Financial Service Restricted Use District and Making Related Zoning Map Amendments]
Supervisor Ammiano
Ordinance amending San Francisco Planning Code Sections 249.5, 781.8, 781.9, 782, and 783 and adding Section 249.35 to the San Francisco Planning Code to create a noncontiguous Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions; amending San Francisco Planning Code Section 312 to require certain notice in Neighborhood Commercial Districts; amending San Francisco Planning Code Section 227 to add Fringe Financial Service Use to the Commercial District Zoning Control Table; amending San Francisco Planning Code Sections 702.4, 703.2 and 710 through 730 to add Fringe Financial Service Use to the Neighborhood Commercial District Zoning Control Tables; adding Section 790.111 and 890.113 to the San Francisco Planning Code to define a Fringe Financial Service Use; amending San Francisco Planning Code Sections 790.110, 790.112, 890.110, and 890.112 to require that use applications for Financial Services and Limited Financial Services include a copy of any state-issued license; amending San Francisco Planning Code Sections 803.2, 810, 811, and 812 to add Fringe Financial Service Use to the Chinatown Zoning Control Tables; amending San Francisco Planning Code Sections 814 through 818 to add Fringe Financial Service Use to certain Zoning Control Tables in the South of Market area; amending San Francisco Planning Code Section 827 to add Fringe Financial Service Use to the Rincon Hill Downtown Residential Mixed Use District Zoning Control Table; amending Zoning Maps Numbers SU01, SU02, SU06, SU07, SU08, and SU10 of Zoning Map of the City and County of San Francisco to indicate the boundaries of the Fringe Financial Service Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(5/23/07 - Economic Impact.)

11/13/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

7. 070410 [San Francisco Bonding Program]

Supervisor Mirkarimi

Ordinance amending Chapter 30 of the San Francisco Administrative Code to add Article II thereto to create the San Francisco Bonding Program and to authorize the City to purchase bonds for employers who agree to hire hard-to-place employees.

10/30/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/30/2007, CONTINUED AS AMENDED. Continued as amended to November 13, 2007

11/13/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 071056 [Centralization of Workforce Development Efforts Under the Department of Economic and Workforce Development]

Supervisors Mirkarimi, Peskin, Ammiano, Maxwell

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 30, Sections 30.1 through 30.8, to: 1) centralize the City's workforce development policy and oversight under the Department of Economic and Workforce Development (DEWD), or successor department; 2) require the Director of Economic and Workforce Development to manage all general fund expenditures on workforce development, create City-wide workforce development policy, develop a Funding Allocation Plan for workforce development funds and annually report on workforce development policies to the Board of Supervisors; 3) require City departments to enter into Memoranda of Understanding with DEWD as a condition of administering workforce development dollars; 4) require the Mayor to submit the names of prospective appointees to the Local Work Force Investment Board to the Board of Supervisors for approval or to appoint two members of the Board of Supervisors to the Local Workforce Investment Board; 5) create a community advisory committee to the Local Workforce Investment Board; and, 6) require that the Workforce Investment Act Local Plan be submitted for review and comment to the Board of Supervisors, and by amending Administrative Code Section 83.6 to place the administration of the First Source Hiring Program under the DEWD.

8/14/2007, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

11/13/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

9. 071333 [Municipal Identification Cards]
Supervisors Ammiano, Peskin, Duffy, Mirkarimi, Sandoval, McGoldrick, Daly
Ordinance adding Section 95.2 to the San Francisco Administrative Code authorizing the County Clerk to issue municipal identification cards upon request to residents of the City and County of San Francisco.
(Fiscal Impact.)

11/13/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier

10. 071136 [Recreation and Park Department - Camping, Sleeping]
Mayor
Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m.

11/13/2007, CONTINUED. Continued to November 20, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

11. 070489 [Closing specified streets in Golden Gate Park on Saturdays]

Supervisor McGoldrick

Ordinance amending Section 6.13 of the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from the first Saturday in April to the last Saturday in September; requesting development of an improvement plan for Middle Drive West between Transverse Drive and Metson Road; and making environmental findings.

10/30/2007, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing the same title.

11/13/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Daly

12. 071222 [Amending Section 16.9-25 of the Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision]

Supervisor Daly

Ordinance amending Section 16.9-25 of the Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision.

11/6/2007, CONTINUED. Continued to November 20, 2007

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present. Supervisors Peskin, Ammiano, Duffy

13. 071458 [Amendment to Contract for Electric Services]

Ordinance approving the amendment between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the performance of duties and obligations of a Scheduling Coordinator pursuant to the California Independent System Operator Tariff and for the delivery of low cost electric power to Treasure Island and Yerba Buena Island on file with the Clerk of the Board of Supervisors in File No. 041351; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.19 of the San Francisco Administrative Code which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code which requires that every contract contain a statement regarding liability of claimants for submitting false claims.

(Public Utilities Commission)

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 071433 [Public Employment - Department of Public Health]

Supervisors Mirkarimi, Maxwell, Ammiano, Duffy

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 12.90 positions in the Department of Public Health to support acute psychiatric beds at San Francisco General Hospital.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 071461 [Approval of Lease No. GS-09B-02006 with the United States of America at San Francisco International Airport]

Resolution approving and authorizing the execution of Lease No. GS-09B-02006 with the United States of America for office space to be occupied by the Transportation Security Administration, a Federal agency, in the International Terminal of San Francisco International Airport.

(Airport Commission)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Peskin, Ammiano, Dufty

16. 071533 [Issuance and Sale of Tax-Exempt Bonds - San Francisco Planning and Urban Research Association]
Supervisors Peskin, Dufty
Resolution approving the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$7,000,000 to finance and refinance the acquisition and construction of capital facilities owned by San Francisco Planning and Urban Research Association or an affiliate.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER****Board of Supervisors Sitting as a Committee of the Whole**

17. 071488 [Hearing and public comment relating to considerations of applicants for and appointment of outside Legal Counsel to advise and represent the Board of Supervisors in the official misconduct proceedings against Supervisor Edmund Jew]
Hearing to allow all applicants to present their qualifications and allow members of the public to comment on applications submitted for providing services to the Board of Supervisors for the official misconduct proceedings against Supervisor Edmund Jew; possible selection by the Board of Supervisors for outside Legal Counsel for said proceedings. (Clerk of the Board)

11/6/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 20, 2007

Action: _____

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee on Thursday, November 15, 2007 at 10:00 am. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, November 20, 2007.

18. 071543 [Local support for street resurfacing projects to be funded by FY 2007-08 Proposition 1B State Infrastructure Bond funds from the Local Streets and Roads Account]

Mayor

Resolution authorizing local support for the street resurfacing projects to be funded by FY 2007-08 Proposition 1B State Infrastructure Bond funds from the Local Streets and Roads Account.

Question: Shall this Resolution be ADOPTED?

19. 071218 [Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability]
Supervisors Daly, Ammiano, Mirkarimi

Charter amendment (First Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

(Fiscal Impact.)

11/6/2007, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment bearing new title.
(Referred to Departments)

Question: Shall this Charter Amendment be SUBMITTED?

The following items will be considered by the Land Use and Economic Development Committee on Monday, November 19, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, November 20, 2007.

20. 071451 **[Authorization for City to enter into Memorandum of Understanding with other Bay Area cities and counties to govern expenditure of Federal Homeland Security Funds]**
Supervisor Alioto-Pier
Resolution authorizing City and County officials to enter into a Memorandum of Understanding that (1) establishes procedures for application, allocation and distribution of Federal Urban Areas Security Initiative Program grant funds for fiscal year 2007 and future fiscal years, (2) continues an Urban Area Working Group with other Bay Area governmental entities, and (3) continues San Francisco as the primary grantee and fiscal agent for Urban Areas Security Initiative Program grant funds; further authorizing designated City and County officials to negotiate, execute and file on behalf of the City and County of San Francisco any and all agreements and documents and to take any other action necessary to apply for and receive grant funds under the Federal Urban Areas Security Initiatives Program.

10/23/2007, REFERRED to Land Use and Economic Development Committee. Supervisor Daly requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

21. 070678 **[Planning - institutional master plan review for medical institutions]**
Supervisors Maxwell, Ammiano, Alioto-Pier
Ordinance amending Planning Code Section 304.5, Institutional Master Plans, to require a qualified health planner retained by the Department of Public Health to analyze the relationship to city-wide health care needs of medical institutions' institutional master plans, revisions, and conditional use applications, to provide comments to the Planning Department, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

23. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

CLOSED SESSION

24. 071555 [Closed Session - Conference with the City's Human Resources Director]

Motion that the Board of Supervisors convene in closed session with the City's Human Resources Director, or her designated representative, pursuant to Government Code section 54957.6 and San Francisco Administrative Code section 67.10(e) regarding a potential charter amendment to address the cost and funding of retiree medical benefits.

Question: Shall this Motion be APPROVED?

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

This measure was introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 25 through 30

25. 071566 [Approval of an additional 120 day extension for Planning Commission review in order to allow for a Recreation and Parks Commission Hearing and to complete an addendum to an associated environmental impact report]
Supervisor Mirkarimi
Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Sectional Map 2 of the Zoning Map of the City and County of San Francisco to a date within two weeks of the environmental review hearing for the same action. The proposed Ordinance would specifically change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

11/13/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
26. 071569 [Joanne Pang Foundation]
Supervisor Elsbernd
Resolution commending The Joanne Pang Foundation for its fundraising campaign to create the first Northern California Umbilical Cord Blood Bank.

11/13/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
27. 071570 [Honoring Marcus Garvey]
Supervisor Mirkarimi
Resolution urging the Department of Public Works to Honor Marcus Garvey by Renaming Eddy Street Between Laguna and Divisadero "Marcus Garvey Way" and Proclaiming August 17th Marcus Garvey Day in San Francisco.

11/13/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

28. 071571 [Landmark Designation Nomination for Tree Located at 1245 Masonic Avenue]
Supervisors Mirkarimi, Peskin
Resolution of intent initiating the nomination of the Black Acacia Tree at 1245 Masonic Avenue for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Code Section 810(d), and authorizing other official acts in furtherance of this Resolution.
- 11/13/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
29. 071572 [Urging the Port of San Francisco to prohibit any vessels that uses heavy bunker oil from docking on Port property]
Supervisor Sandoval
Resolution urging the Port of San Francisco to prohibit any vessel that uses heavy bunker oil from docking on Port property.
- 11/13/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
30. 071573 [Urging the Federal Government to impose stricter regulations on international ship traffic and supporting the Marine Vessel Emissions Reduction Act of 2007]
Supervisor Sandoval
Resolution urging the Federal Government to impose stricter regulations on international ship traffic and supporting the Marine Vessel Emissions Reduction Act of 2007.
- 11/13/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

31. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from November 14, 2007 through November 19, 2007, for reference by the President to the appropriate committee on November 20, 2007.

- 071544** [Landmark Designation of 1601 Larkin Street (the First St. John's United Methodist Church)]
Ordinance Designating 1601 Larkin Street, the First St. John's United Methodist Church, (Assessor's Block Number 0620, Lot Number 006), a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(Planning Commission)

11/6/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 14, 2007 through November 19, 2007, for reference by the President to the appropriate committee on November 20, 2007.

- 071551 [Approving Agreement to Implement and Term Sheet between the San Francisco Public Utilities Commission and Modesto Irrigation District for a Long Term Power Sales Agreement pursuant to Charter Section 9.118(a) with a term through June 30, 2015]
Resolution approving Agreement to Implement and Term Sheet between the City and County of San Francisco, acting by and through its Public Utilities Commission, and the Modesto Irrigation District and authorizing the General Manager to implement the Term Sheet by incorporating the terms thereof into a new Long Term Power Sales Agreement and executing the same.
(Public Utilities Commission)

11/9/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071552 [Approving Water System Improvement Program (WSIP) Agreement]
Resolution approving Amendment No. 1 to Agreement No. CS-765 of the San Francisco Water System Improvement Program (WSIP) – Program/Project/Pre-Construction Management Services with Parsons Water and Infrastructure.
(Public Utilities Commission)

11/9/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071553 [Authorizing Tax Collector Attorney to file suit against responsible relative of recipient of services at City hospitals to recover value of services]
Resolution authorizing Tax Collector Attorney to file suit against responsible relative to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health.
(Treasurer-Tax Collector)

11/9/2007, RECEIVED AND ASSIGNED to Rules Committee.

071577 [Petitions and Communications]

Petitions and Communications received from November 6, 2007 through November 9, 2007 for reference by the President to November 20, 2007

From Office of the City Administrator, submitting Slavery Era Disclosure Ordinance Report Transmittal. (1)

From Clerk of the Board, informing the Board that Andrew Murray, Senior Legislative Analyst, Nilka Julio, Special Assistant XII, Bobby Galbreath, Legislative Assistant, Camelin Blackstone, Legislative Assistant, and Vallie Brown, Legislative Assistant have submitted Form 700 Statement of Economic Interests. Received 2 Letters (2)

From Department of Public Health, submitting Quarterly AIDS Surveillance Report. (3)

From Supervisor Daly, requesting the Board's support for File #071222, an ordinance prohibiting managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision. File No. 071222, Copy: Each Supervisor (4)

From Office of the Mayor, notifying the Clerk's office that Supervisor Bevan Dufty will be Acting Mayor from 1:10pm Thursday, November 8, 2007 until 8:30pm on Sunday, November 11, 2007. Copies: Each Supervisor and City Attorney (5)

From concerned citizens, submitting support for building a new skatepark in Golden Gate Park. File No. 070134, Copies: Each Supervisor. Received 9 Letters (6)

From Office of Public Finance, submitting response regarding month to month leases. (Reference 20071016-021). (7)

From William Whitmer, regarding mandatory drug test for all newly elected city officials. Copy: Each Supervisor (8)

From Public Utilities Commission, regarding status of removing graffiti from various locations in the City. (Reference 20070911-014 and 20071030-006) (9)

From Jaime Ross, submitting opposition to the proposed Subway restaurant in the Mission. (10)

From Emile Lawrence, submitting support for a Memorial to murdered taxi drivers to be placed in the Hall of Justice. (11)

From Kristin Hansen, requesting a meeting with Supervisor Dufty regarding 652 Duncan Street. Copy: Supervisor Dufty (12)

From Eric Bondi, regarding Medical Marijuana patient being arrested and charged with two felony counts for cultivation and distribution. (13)

From concerned citizens, submitting support for the EarthLink Wi-Fi Agreement. Received 2 Letters (14)

From Stephen M. Williams, submitting Appellants' letter brief and executive summary in support of the Appeal of the Categorical Exemption issued for 376 Eureka Street. File No. 071319. (15)

From Simon Elhage, submitting suggestions for the red light enforcement program. Copy: Supervisor Daly. (16)

From Richard Skaff, regarding Otis and Schindler "Destination-Based" Elevator Operating Systems. (17)

From Miria Escobar, regarding alleged neglect and discrimination practices against immigrants and whites by the San Francisco Housing Authority. Received 5 Letters (18)

From Department of Building Inspection, submitting response regarding month to month leases. (Reference 20071016-021). (19)

From Sarah Davis, regarding funding for the Mentally Ill at SF General Hospital. (20)

From Senator Barbara Boxer, submitting a copy of letter sent to Admiral Allen requesting them to provide her office with briefing on the status of the oil spill, its current and projected impacts, and the actions the U.S. Coast Guard has taken with regard to containment and clean-up. (21)

From John Holden, submitting support for agreement between the City and County of San Francisco and S & S Trucking for hauling biosolids and grit. File No. 071386 (22)

From Aaron Goodman VP PRO, expressing concerns regarding the Draft Preservation Element of the SF General Plan Request for Review & Comment (2007.1229A) for its proposed adoption in 2008. Copies: Each Supervisor. (23)

From concerned citizens, expressing concerns regarding the recent oil spill in our Bay. Received 2 Letters (24)

From Amy Sue-Fei Huang, expressing concerns regarding Portola Family Connections located at 2565 San Bruno Ave. (25)

From William J. Coburn, regarding mini-billboard in the Polk Strasse neighborhood. (26)

From Christian Holmer, regarding immediate disclosure request from various City departments. (27)

From Margaret Zegart, regarding various issues regarding the JFK Drive Weekend Closures. File No. 070489, Copies: Land Use Committee Members. (28)

From Iris Chao, expressing concerns regarding the environment. (29)

From Ann Garrison, regarding Pacifica Radio's attempt at Media Democracy. (30)

From Department of Public Works, regarding repainting the crosswalks at various locations in District 5. (31)

From Dina Boyer, regarding wages paid at the public access channel in San Francisco. Copy: Supervisor Daly (32)

From Francisco Da Costa, expressing concerns regarding the 2007 Mayor's Election in San Francisco. Received 3 Letters (33)

From Francisco Da Costa, submitting a copy of Term Sheet For The Closure of The Potrero Power Plant and Reuse of The Property. (34)

From Francisco Da Costa, submitting opposition to Combustion Turbines that use Fossil Fuel Power Plants in our communities. (35)

From Francisco Da Costa, concerning various issues in the City of San Francisco. (36)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised November 15, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending SF Planning Code to provide a limited number of new full-service restaurants in the Union Street Neighborhood Commercial District	071425	Land Use & Economic Development Committee	Supervisor Alioto-Picr	10/16/07	11/16/07
Draft Ordinance amending SF Police Code requiring fair retail pricing requiring motor fuel refiners to divest themselves of company – operated service stations	071426	Rules Committee	Supervisor Ammiano	10/16/07	11/16/07
Draft Ordinance amending SF Police Code to prohibit franchise and fuel supply agreements to limit agreements to purchase alternative motor fuel	071427	Rules Committee	Supervisor Ammiano	10/16/07	11/16/07
Ordinance amending SF Administrative Code relating to the standards of care of City shelters	071518	Budget & Finance Committee	Supervisor Ammiano	11/6/07	12/6/07
Ordinance amending Public Works Code relating to café and chairs permit fees	071521	Budget & Finance Committee	Supervisor Chu	11/6/07	12/6/07
Ordinance amending SF Administrative Code to provide that tenants in units subject to Section 37.9 be given written disclosure of rights before and after sale of rental property	071522	Land Use & Economic Development Committee	Supervisor Daly	11/6/07	12/6/07
Ordinance to prohibit the conversion of large tourist hotels into condominium projects	071258	Land Use & Economic Development Committee	Supervisors Peskin, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi	11/6/07	12/6/07

Ordinance to allow the Public Defender and other criminal defense attorneys an investigators to obtain community safety camera recordings	071536	Land Use & Economic Development Committee	Supervisor Sandoval	11/6/07	12/6/07
Ordinance prohibiting formula retail in commercially designated areas along Mission, Valencia, 16 th and 24 th Streets	071561	Land Use & Economic Development Committee		11/13/07	12/13/07



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, December 4, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

2nd and 4th Thursdays

1:00 PM

1st and 3rd Mondays

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the November 6, 2007 and November 13, 2007 Board Meeting Minutes

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty

1. 071433 [Public Employment - Department of Public Health]
Supervisors Mirkarimi, Maxwell, Ammiano, Dufty
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 12.90 positions in the Department of Public Health to support acute psychiatric beds at San Francisco General Hospital.
(Fiscal Impact.)

11/20/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

2. 071417 [Settlement of Lawsuit - CCSF v. Michael Levine and What Do We Do? Inc.]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael Levine and What Do We Do? Inc. for \$30,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. 452-470; entitled City and County of San Francisco, et al., v. Michael Levine, et al.; other material terms of said settlement are that Judgment is to be entered against Michael Levine personally in the amount of \$30,000, that payment of \$15,000 is to be made at the time of finalization of the settlement of this matter, that the remaining payment of \$15,000 is to be in monthly installments over a period of 18 months, and if any payment is late, the entire amount is immediately due, payable and collectible.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. 071459 [Settlement of Lawsuit - Pacific Gas and Electric Company]
Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$10,000; the lawsuit entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al., Case No. RG-05-246128, was filed on December 9, 2005 in Alameda County Superior Court; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071459.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 071513 [Settlement of City's Lawsuit Against Dynegy, Inc., Dynegy Marketing and Trade and West Coast Power LLC]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Semptra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Semptra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$480,000 to the City from defendants Dynegy, Inc. and its affiliates Dynegy Marketing and Trade and West Coast Power LLC.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 071480 [Re-Appointment - Local Homeless Coordinating Board]
Resolution re-appointing Christine Ma, M.D., for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived.
(Controller)

Question: Shall this Resolution be ADOPTED?

6. 071548 [Appointment - In-Home Supportive Services Public Authority]
Resolution appointing Gustavo Serina, term ending March 1, 2009, to the In-Home Supportive Services Public Authority.
Gustavo Serina, succeeding Anita Aaron, resigned, seat 7, must be a member of the Commission on the Aging, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2009.

Question: Shall this Resolution be ADOPTED?

7. 071483 [Settlement of Grievance - Service Employees International Union, AFL-CIO, Local 790 ("Union")]
Resolution approving the settlement of the grievance (ERD No. 81-06-1465) filed by Service Employees International Union, AFL-CIO, Local 790 ("Union") on behalf of Grievant Victoria Sargent against the City and County of San Francisco for \$133,751.52. Other material terms of said settlement is that Grievant and Union shall release all claims relating to Grievant's employment with the City and that Grievant shall be restricted from any future employment with the City.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

8. 071549 [Appointment - Western SoMa Citizens' Planning Task Force]
Resolution appointing Dennis Juarez, term ending June 30, 2008, to the Western SoMa Citizens' Planning Task Force, residency requirement waived.
Dennis Juarez (residency requirement waived), succeeding Terrance Alan, resigned, seat 10, must represent the entertainment industry, for the unexpired portion of a term ending June 30, 2008.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

9. 071574 [Adopting findings related to disapproving the Categorical Exemption issued for the 376 Eureka Street project]
Motion adopting findings related to disapproving the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

11/26/2007, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendation of the Budget & Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

10. 071458 [Amendment to Contract for Electric Services]
Ordinance approving the amendment between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the performance of duties and obligations of a Scheduling Coordinator pursuant to the California Independent System Operator Tariff and for the delivery of low cost electric power to Treasure Island and Yerba Buena Island on file with the Clerk of the Board of Supervisors in File No. 041351; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.19 of the San Francisco Administrative Code which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code which requires that every contract contain a statement regarding liability of claimants for submitting false claims.
(Public Utilities Commission)
(Fiscal Impact.)

11/20/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

11. 071541 [Appropriating \$8,890,628, of additional Proposition 1B State Funds revenue for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$8,890,628 of additional Proposition 1B State Funds for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008. The department will use the accelerated appropriations of bond funds from the state to fund projects for which design money has already been appropriated and were included in the City's FY 2008-09 capital program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick

12. 071215 [Initiate the designation of the Metro Theater, 2055 Union Street as a Landmark]
Supervisor Alioto-Pier
Resolution initiating designation of the Metro Theater, 2055 Union Street, located on the south side of Union Street, encompassing all of Lot 018 in Block 541, as a Landmark pursuant to Section 1004.1 of the San Francisco Planning Code.

Question: Shall this Resolution be ADOPTED?

13. 071303 [CalHome Application]
Mayor
Resolution authorizing the Mayor's Office of Housing to accept and expend \$1,000,000 from the California Department of Housing and Community Development and to execute any related documents necessary to participate in the CalHome Program.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

14. 071535 [Appointment - Urban Counties Caucus]
Supervisor Peskin
Resolution appointing Supervisor Carmen Chu, term ending December 31, 2008 to the Urban Counties Caucus.

Question: Shall this Resolution be ADOPTED?

15. 071546 [Appointment - California State Association of Counties]
Resolution appointing Supervisor Carmen Chu, term ending November 28, 2008, as an alternate member to the California State Association of Counties Board of Directors.

Question: Shall this Resolution be ADOPTED?

16. 071547 [Appointment - California State Association of Counties]
Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2008, to the California State Association of Counties Board of Directors.

Question: Shall this Resolution be ADOPTED?

From the Rules Committee Without Recommendation

17. 071538 [Imposing a suppression order upon the Board of Supervisors]
Supervisor Sandoval
Motion self-imposing a suppression order upon members of the Board of Supervisors and its staff after the Ethics Commission has forwarded to the Board a recommendation in the official misconduct proceedings against Supervisor Edmund Jew.

Question: Shall this Motion be APPROVED?

Board of Supervisors Sitting as a Committee of the Whole

18. 071488 [Public hearing relating to consideration and possible selection for outside Legal Counsel to advise and represent the Board of Supervisors in the official misconduct proceedings against Supervisor Edmund Jew]
Hearing to allow applicants to present their qualifications and allow members of the public to comment on applications submitted for providing services to the Board of Supervisors for the official misconduct proceedings against Supervisor Edmund Jew; possible selection by the Board of Supervisors, from one of the following two applicants, for outside Legal Counsel for said official misconduct proceedings.

(NOTE: The Board may move to select one of the following applicants for Outside Legal Counsel for the official misconduct proceedings.)

Garcia Calderon Ruiz, LLP
Robert Weisberg, Professor of Law

11/6/2007, CONTINUED. Continued to November 20, 2007

11/20/2007, CONTINUED. Continued to December 4, 2007.

Action: _____

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 071599)

19. 071588 [Hearing at the Full Board on the response to the November 7, 2007 oil spill in the San Francisco Bay]
Supervisor Alioto-Pier
Hearing to examine the response of the various agencies involved in the response to the oil spill, including the Coast Guard and the Golden Gate National Recreation area, and their coordination with City agencies, including the Department of Emergency Management. The hearing will further examine how response decisions were made and communicated to the relevant parties.

Action: _____

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

20. 071218 [Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability] Supervisors Daly, Ammiano, Mirkarimi
- Charter amendment (Second Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

11/6/2007, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment bearing new title. (Referred to Departments)

11/20/2007, CONTINUED AS AMENDED. Continued as amended to December 4, 2007 with the Board Sitting as Committee of the Whole at 3:00 p.m.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.*****APPEAL PROCEDURES***

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

21. 071265 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2721 Pierce Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007, Case No. 2006.1415D, (Building Permit Application No. 2006.07.03.5586) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The proposal consists of adding two windows on the facade, removing a rear sun porch and adding a two-story rear addition at 2721 Pierce Street, Lot 006 in Assessor's Block 0560. (Appellants: Susan Brandt-Hawley on behalf of Judge Carlos Bea and Louise Bea)
(Filed August 31, 2007; Companion Files to 071266, 071267, 071268; District 2.)

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

22. 071266 [Affirming the Categorical Exemption issued for 2721 Pierce Street]

Motion affirming the determination by the Planning Department that the 2721 Pierce Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

10/2/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

Question: Shall this Motion be APPROVED?

23. 071267 [Disapproving the Categorical Exemption issued for 2721 Pierce Street]

Motion disapproving the determination by the Planning Department that the 2721 Pierce Street project is categorically exempt from environmental review under the California Environmental Quality Act.

10/2/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

Question: Shall this Motion be APPROVED?

24. 071268 [Preparation of findings related to the 2721 Pierce Street Project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2721 Pierce Street is exempt from environmental review under the California Environmental Quality Act.

10/2/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

25. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street] -

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007.

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

26. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
Question: Shall this Motion be APPROVED?
27. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
Question: Shall this Motion be APPROVED?
28. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Public Safety Committee at a rescheduled meeting on Monday, December 3, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 4, 2007.

29. 071523 [Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Division of Emergency Services]
Supervisor Elsbernd
Resolution authorizing the Department of Emergency Management, Division of Emergency Services, to accept and expend a Federal pass through grant in the amount of \$1,723,887 from the Governor's Office of Homeland Security for three grant programs: the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Metropolitan Medical Response System (MMRS).

Question: Shall this Resolution be ADOPTED?

30. 071597 [Accept and Expend FY 07 Community Oriented Policing Services Grant and Amend Annual Salary Ordinance, FY 2007-2008]
Supervisor Elsbernd
Ordinance authorizing the Department of Emergency Management, as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Community Oriented Policing Services (COPS) grant in the amount of \$5,733,986 from the United States Department of Justice and to provide \$406,002 as San Francisco's portion of required matching funds; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of one position (0.75 FTE) IS Project Director in the Department of Emergency Management (ECD).

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Land Use & Economic Development Committee on Monday, December 3, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 4, 2007.

31. 070678 [Planning - institutional master plan review for medical institutions]
Supervisors Maxwell, Ammiano, Alioto-Pier, Sandoval, McGoldrick
Ordinance amending Planning Code Section 304.5, Institutional Master Plans, to require a qualified health planner retained by the Department of Public Health to analyze the relationship between the City's long-term health care needs and facility planning for medical institutions as part of the Institutional Master Plan and revisions process; clarifying and updating the Institutional Master Plan process through minor changes to generally applicable institutional master plan requirements, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

33. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

34. 071587 [Legislative Analyst Report - J Power USA] Supervisor Alioto-Pier

Motion requesting the Legislative Analyst research on J Power USA and its parent company, J Power.

Question: Shall this Motion be APPROVED?

Items 35 through 44

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

35. 071599 [Committee of the Whole - December 4, 2007 regarding the November 7, 2007 Oil Spill] Supervisor Alioto-Pier

Motion scheduling the Board to sit as a Committee of the Whole to review the City's response to the oil spill, to be held on December 4, 2007.

11/20/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

36. 071600 [Commending the Neighborhood Emergency Response Team (NERT) Training Program]
Supervisors Chu, Alioto-Pier, Dufty
Resolution commending the San Francisco Neighborhood Emergency Response Team (NERT) Training Program for their efforts in the Cosco Busan oil spill clean-up.

11/20/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 071601 [Commending the Red Cross, Bay Area Chapter]
Supervisors Chu, Alioto-Pier, Dufty
Resolution commending the Red Cross, Bay Area Chapter for their efforts in the Cosco Busan oil spill clean-up.

11/20/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 071602 [Commending SF Connect]
Supervisors Chu, Alioto-Pier, Dufty
Resolution commending SF Connect for their efforts in the Cosco Busan oil spill clean-up.

11/20/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 071603 [Commending The Volunteer Center]
Supervisors Chu, Alioto-Pier, Dufty
Resolution commending the Volunteer Center for their efforts in the Cosco Busan oil spill clean-up.

11/20/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 071604 [Biodiesel Filling Station Permitting, Policies and Creation Extension of Biodiesel Access Taskforce]
Supervisor McGoldrick
Resolution extending the Biodiesel Access Taskforce to continue developing and recommending to the appropriate City departments, including the Board of Supervisors and Mayor, a permitting process for biodiesel filling stations and incentives for such stations to be located in the City; urging the San Francisco Unified School District to pursue the use of biodiesel blends in school buses; establishing a City policy to request biodiesel usage in City contracts involving diesel fleets.

11/20/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

41. 071605 [Urging the Department of Public Works to immediately assemble a working group to develop a "Citizens How To Kit" assisting citizens in determining their options to help underground their neighborhood]

Supervisors Dufty, Alioto-Pier

Resolution urging the Department of Public Works to immediately assemble a working group to develop a "Citizens How To Underground Kit" providing citizens with advice and information on their options to help underground their neighborhood.

11/20/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 071606 [2008 Board of Supervisors Meeting Schedule]

Motion revising the regular meeting schedule of the Board of Supervisors by canceling the January 22, 2008, February 19, 2008, May 27, 2008, July 1, 2008, September 30, 2008, October 14, 2008, November 11, 2008, December 2, 2008, December 23, 2008 and December 30, 2008 meetings and by canceling all Board and Committee meetings from August 13 through September 2, 2008.
(Clerk of the Board)

11/20/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

43. 071492 [Final Map - 2443 - 2445 Clement Street]

Motion approving Final Map 4495, a 9 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 2443 - 2445 Clement Street being a subdivision of Lot 050 in Assessors Block No. 1457 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 177,223; District 1)

11/15/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

44. 071498 [Final Map - 84 Vandewater Street]

Motion approving Final Map 4276, a 5 Unit Residential Condominium Project, located at 84 Vandewater Street being a subdivision of Lot 023 in Assessors Block No. 0041 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 177,262; District 3)

11/20/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

45. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act introduced today; not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 3 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). Each

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from November 10, 2007 through November 26, 2007 for reference by President to the appropriate committee on December 4, 2007.

- 071575 [Settlement of Lawsuit - Trustees of The J. David Gladstone Institutes, et al., v. CCSF]
Ordinance authorizing settlement of the lawsuit filed by Trustees of The J. David Gladstone Institutes against the City and County of San Francisco for the payment of \$420,000 to the City and County of San Francisco; the lawsuit was filed on February 13, 2007 in San Francisco Superior Court, Case No. 460-409; entitled Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al; other material terms of the settlement are that the Lease will be amended to terminate The J. David Gladstone Institutes as a tenant of San Francisco General Hospital Building 40.
(City Attorney)

11/16/2007, RECEIVED AND ASSIGNED to Rules Committee.

071613 [Petitions and Communications]

Petitions and Communications received from November 10, 2007 through November 26, 2007 for reference by the President to December 4, 2007 (Part 1)

From Municipal Transportation Agency, submitting 2007 Annual Report which includes FY 07 Goals, FY 07 Service Standards, Short Range Transit Plan, and FY 07 Budget. (1)

From Clerk of the Board, informing the Board that Shauna Johnson, Legislative Analyst has submitted Form 700 Statement of Economic Interests. (2)

From San Francisco International Airport, submitting Waiver Request for San Francisco International Airport (SFO) Travelers-Aid Luncheon. (3)

From The Victorian Alliance, submitting support for the Landmarking of 900 Innes Avenue. (4)

From The Office of Citizen Complaints, submitting statistical report for the third quarter of 2007. Copies: Each Supervisor (5)

From Office of the Controller – City Services Auditor, submitting Survey of San Francisco Park Users Spring 2007. (6)

From San Francisco Unified School District, submitting Williams Annual Report, November 2007. Copies: Each Supervisors (7)

From Taxicab Paratransit Association of California, submitting support for the proposed ordinance authorizing an increase in the Taxi Gate Cap. File No. 071371 (8)

From Treasury Oversight Committee, submitting report that the Treasury Oversight Committee has held two of four scheduled meeting during the 2007 calendar year. (9)

From Citizens General Obligation Bond Oversight Committee, submitting report that the Citizens' General Obligation Bond Oversight Committee will have held three of four scheduled meetings during the 2007 calendar year. (10)

From Office of the Treasurer, submitting report of investment activity (for fiscal year to date) of the portfolios under Treasurer's management. (11)

From Public Utilities Commission, submitting response regarding month to month leases. (Reference 20071016-021). (12)

From Director of Real Estate, submitting response regarding month to month leases. (Reference 20071016-021). (13)

From Fish and Game Commission, submitting a copy of a continuation notice of proposed regulatory action relative to sections 353 and 475, Title 14, California Code of Regulations, regarding methods authorized for taking big game and methods of take for nongame birds and nongame mammals. (14)

From Department of Public Health, submitting a report on items appropriated where the rate of expenditure during that quarter for that item on an annualized basis would exceed the total appropriation for the fiscal year. (15)

From Office of the Controller, submitting an interim report on the foot patrol pilot program evaluation. (16)

From Juvenile Probation Department, submitting response regarding month to month leases. (Reference 20071016-021). Copy: Supervisor Elsbernd (17)

From Department of Building Inspection, submitting response regarding month to month leases. (Reference 20071016-021). (18)

From Department of Child Support Services, submitting response regarding month to month leases. (Reference 20071016-021). (19)

From Adult Probation Department, submitting response regarding month to month leases. (Reference 20071016-021). (20)

From Department of Public Works, submitting response regarding month to month leases. (Reference 20071016-021). Copy: Supervisor Elsbernd (21)

From Clerk of the Board, providing copies of letters which were sent to the State Attorney General's Office and the California League of Cities requesting assistance in providing outside counsel to the Board. (Reference 20071106-008) (22)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported to their office for the month of October 2007. (23)

From Retirement System, submitting response regarding month to month leases. (Reference 20071016-021). (24)

From Cynthia Hutchinson, submitting Thank You for the ban on plastic bags. (25)

From Congressman Wexler, regarding "Impeaching Richard B. Cheney, Vice President of the United States, for high crimes and misdemeanors." (26)

From Will McCoy, regarding animal testing at UCSF. (27)

From Planning Department, submitting response regarding coordination between the Planning Department and the Department of Building Inspection to implement the proposed Fringe Financial Services legislation. (Reference 20071016-040). (28)

From Immigration Reform Law Institute, submitting written comments for November 20th hearing regarding ordinance adding Section 95.2 to SF Administrative Code (Authorizing County Clerk to Issue Municipal ID Cards). File No. 071333 (29)

From Sandy Kappelmann, submitting a copy of letter sent to Municipal Transportation Agency regarding erroneously issued tickets. (30)

From Rami Nagel, expressing concerns regarding the aerial spraying program for the Light Brown Apple Moth. (31)

From Lee Doolan, regarding energy independence for San Francisco. (32)

From Eula Walters, regarding 8 Washington Street Project and desired parking facility on corner of Washington and The Embarcadero. Copies: Each Supervisor (33)

From Thomas Law, regarding San Francisco being an sanctuary city. (34)

From Shirley Dang, regarding the delay in the repaving work on Noriega west of 33-34 Avenue. Copy: Supervisor Chu (35)

From Jeff Cohen, regarding problems with the Outbound 52 Excelsior bus. Copy: Mayor (36)

From Henri Belli, concerning the manufacturing of the main portion of the SF Bay Bridge being done in China. (37)

From Scott Ludwig, supporting the EarthLink agreement that will provide San Francisco with free wireless Internet. (38)

From Athan Rebelos, complimenting SFPD on their enforcement of the Hyatt Regency's taxicab zone and loitering limo/town cars. (39)

From Albert R. Ujcic, concerning building addition to property. Copy: Each Supervisor (40)

From Jimmy Lembcke, regarding the dangers involved in graffiti removal. (41)

From Paul Nisbett, concerning a raise for the Muni Chief. (42)

From Ivan Pratt, regarding the alleged signing away of Civil Rights to privacy in the HUD programs. (43)

From Rick Flynn, submitting suggestions to help curb youth violence in San Francisco. (44)

From Richard Skaff, submitting a copy of letter sent to Acting Chief Building Inspector regarding destination based elevator system. (45)

From Redevelopment Agency, submitting its financial and performance reports for fiscal year 2006/07 and for the fiscal year ended June 30, 2007. (46)

From concerned citizens, submitting support for the appeal of the certificate of exemption from environmental review for 376 Eureka St. File No. 071319. Received 10 Letters. (47)

From Armie Lerner, submitting opposition for the appeal of the certificate of exemption from environmental review for 376 Eureka St. File No. 071319. (48)

From concerned citizens, submitting support for proposed ordinance prohibiting illegal camping, cooking, and residing in our parks. File No. 071136, Received 11 Letters. (49)

From concerned citizens, submitting opposition to proposed ordinance to issue Municipal Identification Cards in the City. File No. 071333, Received 20 Letters. (50)

From Neil O'Donnell, submitting support for agreement between the City and County of San Francisco and S & S Trucking for hauling biosolids and grit. File No. 071386, Copies: Each Supervisor. (51)

From Parkmerced Residents' Organization, submitting concerns about the proposed impacts to the area of Parkmerced and its surrounding environment(s) by the SFSU Masterplan outlined in the CEQA documents. Copies: Each Supervisor (52)

From Mirna Escobar, regarding alleged neglect and discrimination practices by the San Francisco Housing Authority. Received 6 Letters (53)

From Ahimsa Sumchai, regarding alleged missing and delayed voter handbooks for the November 6, 2007 General Municipal Election in San Francisco. (54)

From Joseph A. Mott, regarding the use of Titanium Dioxide Paint and Paving Materials. (55)

From concerned citizen, regarding the placement of the boundary signs at the junction of Lake Merced Blvd. and John Muir Drive. Copies: Each Supervisor (56)

From Christian Holmer, regarding immediate disclosure request from various City departments. Received 2 Letters (57)

From Department of Public Works, responding to Board's request regarding checking active projects on City street for compliance with the Excavation Code, Section 8.1, paragraph C. referencing non-skid coating for steel plates. (58)

071615 [Petitions and Communications]

Petitions and Communications received from November 10, 2007 through November 26, 2007 for reference by the President to December 4, 2007 (Part 2)

From Poonam Whabi, expressing concerns regarding PG&E's representation at the Greenfest as a Corporate Sponsor. (59)

From concerned citizens, expressing concerns regarding the recent oil spill in our Bay. Received 5 Letters. (60)

From Francisco Da Costa, regarding the California Air Resources Board and its alleged lack of a moral compass. (61)

From Francisco Da Costa, regarding Arc Ecology concerns about the health of Bayview Hunter's Point people. (62)

From Francisco Da Costa, regarding alleged dust all over the place at Executive Park on Thursday, November 8, 2007. (63)

From Brandt-Hawley Law Group, submitting copy of letter sent to Board of Appeals regarding Case No. 2006.1415D, Building Permit 2006.07.03.5586 – 2721 Pierce St. File No. 071265, Copies: Each Supervisor. (64)

From Gladstone & Associates, submitting a request for continuance regarding Appeal of Categorical Exemption for 2727 Pierce St. File No. 071265, Copies: Each Supervisors. (65)

From Mental Health Board, responding to Board's inquiry regarding the Mental Health Board's involvement with Veteran's issues. (Reference No. 20071113-003) (66)

From Aliza Wasserman, regarding the San Francisco contingent of last week's national day of climate action "Step It Up". (67)

From Coalition for San Francisco Neighborhoods, regarding the Issuance and Sale of Tax-Exempt Bond – San Francisco Planning and Urban Research Association. File No. 071533, Copies: Each Supervisor. (68)

From concerned citizen, submitting suggestions for road closures in Golden Gate Park. Copies: Each Supervisor (69)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised November 29, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency, and setting an operative date for the transfer.	071595	Budget and Finance Committee	Mayor	11/20/07	12/20/07
Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.	071596	Rules Committee	Supervisor Mirkarimi	11/20/07	12/20/07
Ordinance amending the San Francisco Health Code by adding Article 37, sections 3701 through 3711, to: (1) encourage restaurants located in the City and County of San Francisco to discontinue the use of artificial trans fat in food served to customers by creating an incentive program, and (2) provide regulations for the voluntary trans fat free program.	071607	City Operations and Neighborhood Services Committee	Supervisors Maxwell, Peskin, Ammiano	11/20/07	12/20/07
Charter Amendment (First Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.	071589	Rules Committee	Supervisor McGoldrick	11/20/07	12/20/07

Charter Amendment (First Draft) to amend Sections 8A.102, 8A.112, 13.101, 13.101.5, and 15.105 to provide for the election of members of the Municipal Transportation Agency's Board of Directors, setting their compensation, and fixing their status as members of the Parking Authority Commission.	071590	Rules Committee	Supervisor McGoldrick	11/20/07	12/20/07
Charter Amendment (First Draft) to amend Section 4.101 to make it City policy to consider and as appropriate support the nomination, appointment and confirmation of female and minority candidates to fill seats on appointive boards, commissions, or advisory bodies.	071591	Rules Committee	Supervisor McGoldrick	11/20/07	12/20/07
Ordinance amending SF Administrative Code relating to the standards of care of City shelters	071518	Budget & Finance Committee	Supervisor Ammiano	11/6/07	12/6/07
Ordinance amending Public Works Code relating to café and chairs permit fees	071521	Budget & Finance Committee	Supervisor Chu	11/6/07	12/6/07
Ordinance amending SF Administrative Code to provide that tenants in units subject to Section 37.9 be given written disclosure of rights before and after sale of rental property	071522	Land Use & Economic Development Committee	Supervisor Daly	11/6/07	12/6/07
Ordinance to prohibit the conversion of large tourist hotels into condominium projects	071258	Land Use & Economic Development Committee	Supervisors Peskin, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi	11/6/07	12/6/07
Ordinance to allow the Public Defender and other criminal defense attorneys an investigators to obtain community safety camera recordings	071536	Land Use & Economic Development Committee	Supervisor Sandoval	11/6/07	12/6/07

Ordinance prohibiting formula retail in commercially designated areas along Mission, Valencia, 16 th and 24 th Streets	071561	Land Use & Economic Development Committee		11/13/07	12/13/07
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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, December 11, 2007 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsuprvs_index.asp

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursdays
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

1. 071516 [Grant to support the Healthcare Facilities Partnership Program through the San Francisco Department of Public Health]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of \$787,659 from the Department of Health and Human Services, Public Health Service, for year 1 of the Healthcare Facilities Partnership Program, for the period of September 1, 2007, through August 8, 2008.

Question: Shall this Resolution be ADOPTED?
2. 071517 [Grant to support the SF Child Injury Prevention Program]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the Kids' Plates Program, San Diego State University Research Foundation in the amount of \$54,000 in support of SF Child Injury Prevention Program, for the period of October 1, 2007 through June 30, 2008.

Question: Shall this Resolution be ADOPTED?

3. 071524 [Retroactive Accept - Expend State Grant - Department of the Environment]
Supervisor Maxwell
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$11,175 from the California Integrated Waste Management Board for the purpose of increasing proper disposal of Household Hazardous Waste and supporting San Francisco's involvement in the California Product Stewardship Council.
- Question: Shall this Resolution be ADOPTED?
4. 071525 [Accept-Expend State Grant - Department of the Environment]
Supervisor Maxwell
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$11,002 from the California Integrated Waste Management Board for the purpose of increasing proper disposal of Household Hazardous Waste and supporting San Francisco's involvement in the California Product Stewardship Council.
- Question: Shall this Resolution be ADOPTED?
5. 071527 [Accept-Expend Federal Grants - Municipal Transportation Agency]
Supervisor Mirkarimi
Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of \$478,000 from 2006 Regional Transportation Improvement funds for the Transportation for Livable Communities - Inner Sunset Traffic Calming and Transit Enhancements Project.
- Question: Shall this Resolution be ADOPTED?
6. 071537 [Grant of Regional Funds- San Francisco Municipal Transportation Agency]
Supervisor Sandoval
Resolution authorizing the San Francisco Municipal Transportation Agency to accept and expend \$200,000 of Regional Measure 2 - Safe Routes to Transit funding to conduct a study analyzing how to improve traffic patterns on the southern side of the Balboa Park BART station.
- Question: Shall this Resolution be ADOPTED?
7. 071562 [Accept-Expend California Department of Parks and Recreation Grant]
Supervisor Chu
Resolution authorizing San Francisco Arts Commission (SFAC) to accept and expend a grant in the amount of \$36,000 from the California Department of Parks and Recreation for restoration of the Portals of the Past monument in Golden Gate Park.
- Question: Shall this Resolution be ADOPTED?
8. 071563 [Accept-Expend State Grant - Sheriff's Department]
Supervisor Duffy
Resolution authorizing the Sheriff's Department of the City and County of San Francisco to apply for, accept and expend \$377,895 in funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs.
- Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

9. 071541 [Appropriating \$8,890,628, of additional Proposition 1B State Funds revenue for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008] Mayor, Supervisor Elsbernd
- Ordinance appropriating \$8,890,628 of additional Proposition 1B State Funds for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008. The department will use the accelerated appropriations of bond funds from the state to fund projects for which design money has already been appropriated and were included in the City's FY 2008-09 capital program.

12/4/2007, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell

10. 071597 [Accept-Expend FY 07 Community Oriented Policing Services Grant and Amend Annual Salary Ordinance, FY 2007-2008] Supervisor Elsbernd
- Ordinance authorizing the Department of Emergency Management, as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Community Oriented Policing Services (COPS) grant in the amount of \$5,733,986 from the United States Department of Justice and to provide \$406,002 as San Francisco's portion of required matching funds; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of one position (0.75 FTE) IS Project Director in the Department of Emergency Management (ECD).

12/4/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 070678 [Planning - institutional master plan review for medical institutions] Supervisors Maxwell, Ammiano, Alioto-Pier, Sandoval, McGoldrick
- Ordinance amending Planning Code Section 304.5, Institutional Master Plans, to require a qualified health planner retained by the Department of Public Health to analyze the relationship between the City's long-term health care needs and facility planning for medical institutions as part of the Institutional Master Plan and revisions process; clarifying and updating the Institutional Master Plan process through minor changes to generally applicable institutional master plan requirements, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

12/4/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

12. 071417 [Settlement of Lawsuit - CCSF v. Michael Levine and What Do We Do? Inc.]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael Levine and What Do We Do? Inc. for \$30,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. 452-470; entitled City and County of San Francisco, et al., v. Michael Levine, et al.; other material terms of said settlement are that Judgment is to be entered against Michael Levine personally in the amount of \$30,000, that payment of \$15,000 is to be made at the time of finalization of the settlement of this matter, that the remaining payment of \$15,000 is to be in monthly installments over a period of 18 months, and if any payment is late, the entire amount is immediately due, payable and collectible.
(City Attorney)

12/4/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 071459 [Settlement of Lawsuit - Pacific Gas and Electric Company]
Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$10,000; the lawsuit entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al., Case No. RG-05-246128, was filed on December 9, 2005 in Alameda County Superior Court; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071459.
(City Attorney)

12/4/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 071513 [Settlement of City's Lawsuit Against Dynegy, Inc., Dynegy Marketing and Trade and West Coast Power LLC]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$480,000 to the City from defendants Dynegy, Inc. and its affiliates Dynegy Marketing and Trade and West Coast Power LLC.
(City Attorney)

12/4/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

15. 071574 [Adopting findings related to disapproving the Categorical Exemption issued for the 376 Eureka Street project]
Motion adopting findings related to disapproving the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 11/26/2007, REFERRED to Board of Supervisors.
12/4/2007, CONTINUED. Continued to December 11, 2007
Question: Shall this Motion be APPROVED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

16. 071460 [Easement Modification and Relocation Agreement - University of California Parnassus Heights Campus]
Resolution approving and authorizing the execution and delivery of an Easement Modification and Relocation Agreement between The Regents of the University of California ("University") and the City and County of San Francisco, acting by and through its Public Utilities Commission (collectively referred to hereafter as the "City"), authorizing the City's acceptance of a Modified and Restated Grant of Easement and Agreement For Expanded Storage Tank Easement, the City's quitclaim of the Existing Storage Tank Easement to the University, the City's acceptance of a Grant of Easement and Agreement For New Pump Station Easement and the City's quitclaim of the Existing Pump Station Easement to the University following completion of the Project; adopting findings of consistency with the General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting environmental findings.
(Real Estate Department)
- 11/13/2007, CONTINUED. Continued to December 11, 2007
Question: Shall this Resolution be ADOPTED?

Board of Supervisors Sitting as a Committee of the Whole

**17. 071218 [Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability]
Supervisors Daly, Ammiano, Mirkarimi**

Charter amendment (Third Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

11/6/2007, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment bearing new title.
(Referred to Departments)

11/20/2007, CONTINUED AS AMENDED. Continued as amended to December 4, 2007 with the Board Sitting as Committee of the Whole at 3:00 p.m.

12/4/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The President inquired as to whether any member of the public wished to address the Board members.
Continued as amended to December 11, 2007 with the Board Sitting as a Committee of the Whole.

12/4/2007, CONTINUED AS AMENDED. Supervisor Daly, seconded by Supervisor Mirkarimi, moved to continue this matter to December 11, 2007 with the Board Sitting as a Committee of the Whole.
Motion passed without objection.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present Supervisors Peskin, Ammiano, Duffy

18. 071436 [Appropriating \$33,521,354 of land sales revenue for construction at 525 Golden Gate to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$33,521,354 of San Francisco Water and Wastewater Enterprises estimated land sales revenues from properties including BART land, Petrocchi Brothers property, 425 Mason Street, Muni Transfer at Cesar Chavez, Peter Naughton Easement Transfer, Sea Cliff Lot, Chestnut and El Camino property in South San Francisco, Manzano Way lots in Fremont, PG&E Jefferson Martin Line, and Martin Gaehwhiler property, for costs related to architectural, excavation design services, construction and construction management at 525 Golden Gate Avenue to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 071469 [Accept-Expend Federal Grant - Sheriff's Department]
Supervisor Alioto-Pier
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance 2007-2008) to reflect the addition of a .50 FTE 8420 Program Rehabilitation Services Coordinator in the Sheriff's Department, and a .50 FTE 2586 Health Worker II and .50 FTE 2803 Epidemiologist in the Department of Public Health, and authorizing the Sheriff's Department to accept and expend a 12-month grant in the amount of \$391,556 from the U.S. Department of Health and Human Services for the Women's Integrated Skills (WISH) Project and waiving indirect costs.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 071542 [Accept-Expend Federal Grants - Municipal Transportation Agency]
Mayor
Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of \$2,740,000 from the Metropolitan Transportation Commission Regional Bicycle and Pedestrian Program for various transportation projects.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

21. 071514 [Prevailing wages for workers on public works/improvement projects; janitorial services; public off-street parking lots, garages, or auto storage facilities; theatrical services; moving services; and hauling solid waste]
Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City.
(Civil Service Commission)
- Question: Shall this Resolution be ADOPTED?
- Present: Supervisors Peskin, Dufty*
22. 071568 [Appropriating \$250,000 Unappropriated Port Operating Fund Balance for Fuel Spill Clean-up Activities in the Port of San Francisco for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$250,000 of Unappropriated Fund Balance from the Port Operating Fund to fund fuel spill clean-up by commercial vessels under contract with the Port of San Francisco and under direction of the Cosco Busan Incident Command retroactive to November 10, 2007 in the Port of San Francisco Fiscal Year 2007-2008.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
23. 071551 [Approving Agreement to Implement the Term Sheet between the San Francisco Public Utilities Commission and Modesto Irrigation District for a Long Term Power Sales Agreement pursuant to Charter Section 9.118(a) with a term through June 30, 2015]
Resolution approving Agreement to Implement the Term Sheet between the City and County of San Francisco, acting by and through its Public Utilities Commission, and the Modesto Irrigation District and authorizing the General Manager to implement the Term Sheet by incorporating the terms thereof into a new Long Term Power Sales Agreement and executing the same.
(Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

24. 070040 [Department of Elections contract for new voting system]
Resolution approving the award and execution of a \$12.65 million four-year contract by the City and County of San Francisco, through its Department of Elections, to Sequoia Voting Systems, Inc., for the purchase of a new voting system and provision of associated voting services.
(Elections Department)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present Supervisors McGoldrick, Alioto-Pier, Chu

25. 070134 [Golden Gate Park-Authorization to Construct Skate Park]
Supervisors Mirkarimi, Alioto-Pier
Ordinance making environmental findings and authorizing the creation of a skate park in the block of Waller Street in Golden Gate Park, between Stanyan Street and Kezar Drive, pursuant to Charter Section 4.113.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 070508 [Banning alcohol in children's play areas]
Supervisors Alioto-Pier, Chu
Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in children's play areas.

10/23/2007, RE-REFERRED to City Operations and Neighborhood Services Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 071089 [Warning on cough and cold medicine for infants and young children ordinance]
Supervisors Alioto-Pier, Dufty
Ordinance amending the San Francisco Health Code by adding Article 36, Sections 3601 through 3609, to: (1) require businesses located in the City and County of San Francisco to post point-of-sale warnings on administering cough and cold medicine to infants and children younger than 6 years, and (2) provide penalties for violations.

10/23/2007, RE-REFERRED to City Operations and Neighborhood Services Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 071482 [Liquor License - 1870 Fillmore Street]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Kamran Shirazi for Lot61, located at 1870 Fillmore Street (District 5), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4; with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

29. 071534 [Zoning - Interim Moratorium on institutional uses in the Western SoMa]
Supervisors Peskin, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi
Urgency Ordinance approving an interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use and Economic Development Committee Without Recommendation

30. 071564 [Bayview Hunters Point Redevelopment Project Area C Interim Controls]
Supervisor Maxwell
Resolution adopting interim zoning controls for a period of eighteen (18) months in the area designated as "Area C" in the Bayview Hunters Point Redevelopment Survey Area, an area generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay to require a conditional use permit for all new construction, changes of use, alterations that expand the building envelop and demolitions, except for alterations of a lawfully existing use in the M-1, M-2 or NC-2 zones or the establishment of or a change of use on the ground floor of a principally permitted use in the NC-2 area; specifying criteria to be applied in the evaluation of a conditional use permit application, and adopting findings.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell

31. 071572 [Urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships]
Supervisor Sandoval
Resolution urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships.

11/20/2007, REFERRED to Public Safety Committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee on Monday, December 10, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 11, 2007.

32. 071593 [Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services]
Supervisor Elsbernd
Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed \$17,100,000.
(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use and Economic Development Committee on Monday, December 10, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 11, 2007.

33. 071567 [Urging the Recreation and Parks Commission to enter a grant agreement with the Friends of the Geneva Office Building for the rehabilitation of the Geneva Office Building]
Supervisor Sandoval
Resolution urging the Recreation and Parks Commission to enter a grant agreement with the Friends of the Geneva Office Building for the rehabilitation of the Geneva Office Building.

Question: Shall this Resolution be ADOPTED?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Items 36 through 48

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

36. 071628 [Funds to support the HIV Prevention among High-Risk Men in South Africa study]
Supervisor Duffy

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$9,429.04 from the University of California, San Francisco (UCSF), to provide technical assistance for the HIV Prevention among High-Risk Men in South Africa (Gauteng MSM Study) to measure the prevalence of HIV risk behaviors and HIV infection in Soweto, South Africa, for the period of November 5, 2007 through April 30, 2008.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 071629 [Funds to support the Impact Evaluation in Malawi project]
Supervisor Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$31,466 from the University of California, San Francisco (UCSF), the primary contractor, with funds from the World Health Organization, to provide technical assistance and consultation to create a resource manual documenting the triangulation methodology and will participate in the planning of a national Anti-Retroviral Therapy distribution evaluation, for the period of February 1, 2007 through May 31, 2007.
- 12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
38. 071631 [Accept-Expend Corporate Grant - Department of the Environment]
Supervisor Chu
Resolution authorizing the Department of the Environment to accept and expend grant funds in the amount of \$10,000 from the AAA Greenlight Initiative for the purpose of developing, producing and disseminating a brochure on clean air vehicles in English, Spanish and Chinese.
- 12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 071632 [Accept-Expend Two Gifts from the Fidelity Charitable Gift Fund]
Supervisor Elsernd
Resolution authorizing the San Francisco Public Library to accept and expend two gifts in the amount of \$20,000 and \$12,000 respectively from the Fidelity Charitable Gift Fund for the enhancement of the Library's public website.
- 12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 071641 [Condemning the Islamic Republic of Iran for its government-sanctioned policy of executing gay and lesbian Iranians]
Supervisor Ammiano
Resolution urging the Congressional Human Rights Caucus to support legislation condemning the Islamic Republic of Iran for its government-sanctioned policy of executing gay and lesbian Iranians and calling on Tehran to adopt a more tolerant culture between gay and lesbian Iranians and greater Iranian society.
- 12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
41. 071642 [Commending the work of the US PROstitutes Collective to end violence and criminalization]
Supervisor Ammiano
Resolution commending the US PROstitutes Collective for the protection of sex workers all over the nation and to end violence and criminalization through organizing.
- 12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

42. 071643 [Reinstating 19 union janitors at the new Federal building]
Supervisors Daly, Ammiano, Mirkarimi, Sandoval
Resolution calling on Exemplar Enterprises to reinstate 19 union janitors at the new state of the art Federal building at 90 7th Street and urging Congresswoman and Speaker of the House of Representatives Nancy Pelosi to call upon the Government Services Agency and Exemplar Enterprises to work to reinstate the janitors at the new Federal building.
- 12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 071644 [Drug Conviction/Financial Aid]
Supervisor Daly
Resolution urging San Francisco Congressional representatives to overturn the provision of the Higher Education Act of 1998 that denies or delays access to financial aid for persons convicted for drug-related offenses.
- 12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 071645 [Approving a 90 day extension for Planning Commission review for Conditional Use Authorization for new construction shading existing registered solar energy systems]
Supervisor Mirkarimi
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend Section 303 to require a conditional use authorization for any new construction that would shade a registered solar energy system, as defined, and provide for the registration of existing and new solar energy systems, and making environmental findings, General Plan findings, and other required findings.
- 12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 071646 [Declaration of Election Results]
Resolution declaring the results of the November 6, 2007 Municipal Election.
(Clerk of the Board)
(The Department of Elections has not yet completed the tabulation of Election Results for the following measures: Propositions A, E, F AND G. The tabulation will be completed by the close of business on Friday, December 7, 2007.
This resolution will be replaced to reflect the full results at that time.)
- 12/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

46. 071647 [Accept-Expend \$14,826 from the Friends of the San Francisco Public Library]
Supervisor Elsberud
Resolution authorizing the San Francisco Public Library to accept and expend a gift in the amount of \$14,826 from the Friends of the San Francisco Public Library's Main Campaign Fund for public service improvements at the Main Library.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 071650 [Resolution in Support of the Pacheco Pass Alternative for the High-Speed Train System]
Supervisor Peskin
Resolution urging the California High Speed Rail Authority to adopt the Preferred Network Alternative, Pacheco Pass to San Francisco (via San Jose), for the Central Valley to Bay Area portion of the High-Speed Train system including pursuit of Regional Rail commuter service via the Altamont Pass between Sacramento/Northern San Joaquin Valley and Oakland/San Jose in partnership with local and regional agencies and transit providers.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 071653 [Accept- Expend State Grant - Department of Telecommunications and Information Services]
Mayor
Resolution authorizing the Department of Telecommunications and Information Services to accept and expend a grant in the amount of \$49,900.00 from the California Integrated Waste Management Board for the purpose of increasing the Re-Use of Computers and other Electronic equipment in the City and County of San Francisco.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

49. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from November 27, 2007 through December 3, 2007 for reference by President to the appropriate committee on December 11, 2007.

071581 [Changing the official sidewalk width - Townsend Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1576 to change the official sidewalk width on the northerly side of Townsend Street between 6th and 7th Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width change.

(Public Works Department)

(DPW Order No. 177,191)

11/30/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 071612 [Settlement of Eminent Domain Lawsuit Against the City and County of San Francisco]
Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$1,088,000.00; the lawsuit was filed on June 6, 2006 in San Francisco Superior Court, Case No. CGC-06-452985; entitled Pacific Gas & Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation and the Judgment in Condemnation, contained in Board of Supervisors File No. 071612.
(City Attorney)

11/27/2007, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 27, 2007 through December 3, 2007 for reference by President to the appropriate committee on December 11, 2007.

- 071579 [Approval of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., at San Francisco International Airport]
Resolution approving and authorizing the execution of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., for office space in the International Terminal of San Francisco International Airport.
(Airport Commission)

11/29/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071580 [Approval of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. at San Francisco International Airport]
Resolution approving and authorizing the execution of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. for cargo warehouse and office space in Building 710 on Plot 12 of San Francisco International Airport.
(Airport Commission)

11/29/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071655 [Petitions and Communications]

Petitions and Communications received from November 27, 2007 through December 3, 2007 for reference by the President to December 11, 2007

From Department of Building Inspection, submitting Request for Release of Reserves – Information Technology Equipment. (1)

From Delta Air Lines, Inc., regarding Application of Permanent Resident Exemption (Regulation No. 1.504-2) to Airline Crews. (2)

From SF City Clinic, submitting San Francisco Monthly STD Report for October 2007. (3)

From Human Rights Commission, submitting waiver request form for Hotel Whitcomb for Department of Children, Youth and Their Families. (4)

From Cow Palace, submitting a copy of letter sent to the Mayor of Daly City regarding Oracle Open World Festival Appreciation Event that was held on November 14, 2007. (5)

From Office of the Controller, submitting District Station Boundary Assessment – National Strategies and an Overview of the San Francisco Police Department Interim Report. (6)

From Department of Human Resources, submitting Request for Release of \$5,000,523 in Reserved Funding for Project eMerge. (7)

From Edwin E. Huddleson, Jr. Professor of Law, Director, Stanford Criminal Justice Center, submitting proposal to serve as outside counsel for the Board regarding Supervisor Jew. File No. 071488. (8)

From Supervisor Alioto-Pier, submitting a copy of letter sent to Martin Brotman M.D., President and CEO, California Pacific Medical Center, regarding closures at St. Luke's Hospital. File No. 071556 (9)

From San Francisco Arts Commission, submitting response regarding month to month leases. (Reference 20071016-007). (10)

From Department of Human Resources, submitting response regarding month to month leases. (Reference 20071016-035). (11)

From Department of Elections, submitting response regarding month to month leases. (Reference 20071016-030). (12)

From Office of the Controller, submitting response regarding month to month leases. (Reference 20071016-005). (13)

From San Francisco Housing Authority, submitting response regarding month to month leases. Copy: Supervisor Elsbernd, (Reference 20071016-013). (14)

From Department on the Status of Women, submitting response regarding month to month leases. Copy: Supervisor Elsbernd, (Reference 20071016-020). (15)

From Real Estate Division, submitting response regarding month to month leases. (Reference 20071016-011) (16)

From Budget Analyst's Office, submitting response regarding exploring the possibilities of making prostitution a low priority offense in San Francisco. (Reference 20071120-004) (17)

From concerned citizens, submitting opposition to the ordinance which would issue Municipal Identification Cards in the City. File No. 071333 (18)

From Coalition for San Francisco Neighborhoods, regarding the Proposed Gift of a Chinese Walled Garden from the Shanghai Sister City Committee. File No. 071330 (19)

From San Francisco Housing Authority, submitting response regarding repairs at Robert B. Pitts. (Reference 20070710-009), Copy: Supervisor Mirkarimi. (20)

From Department of Children, Youth and Their Families, submitting response regarding month to month leases. (20071016-009). (21)

From Parkmerced Residents' Organization, regarding Case No. 2006.0680E – 77-11 1 Cambon Drive Mixed-Use Project Notice of Preparation of an EIR. Copies: Each Supervisor (22)

From Anne Murphy, submitting support for a ban on wood burning fireplaces. (23)

From James A. Ansbro, submitting support for the Landmarking of 900 Innes Avenue. (24)

From Human Services Agency, submitting Request for Release of Funding Reserved in the FY07/08 Budget for HAS Workforce Development salaries and benefits. File No. 071576 (25)

From Brisbane Baylands Community Advisory Group, submitting copy of letter to Regional Water Quality Control Board regarding BBCAG comments on Remedial Action Plan Dated 6/29/07 – Kinder Morgan, Operating Partner, SFPP, L.P. Brisbane Terminal. (26)

From Supervisor Alioto-Pier, submitting copy of letter to Supervisor Mirkarimi regarding the November 7, 2007 oil spill in the San Francisco Bay. (27)

From concerned citizens, submitting support for Michael Savage's right to freedom of speech. Received 4 Letters. (28)

From Dinda Evans, submitting opposition to the City giving sanctuary to illegal aliens. (29)

From Joyes Burris, expressing concerns regarding the 25% tax assessed to parking fees. Copy: Supervisor Alioto-Pier (30)

From Terry Diggs, expressing concerns regarding unopened/unread newspapers that accumulate on City streets. (31)

From concerned citizen, submitting opposition to the Monora that is placed at Union Square. Copy: Mayor (32)

From Abdalla Megahed, expressing concerns regarding the homeless in the City and requesting assistance regarding a supervisor at 150 Otis who was allegedly abusive. (33)

From Mima Escobar, regarding alleged neglect and discrimination practices by the San Francisco Housing Authority. (34)

From Kimo Crossman, regarding how San Francisco will celebrate Sunshine Week. (35)

From Kimo Crossman, concerning Metadata exposure in regards to delivering documents in Word or Excel formats vs. PDF. Received 2 Letters (36)

From Stephen M. Williams, regarding adoption of findings related to the Disapproval of the Categorical Exemption issued for 376 Eureka Street. File No. 071574, Copies: Each Supervisor. (37)

From Rod Gilchrist, submitting a copy of a letter in support of Margaret Brodtkin, Director, Department of Children, Youth and Their Families. (38)

From Francisco Da Costa, expressing concerns regarding the Mayoral election in San Francisco. (39)

From concerned citizens, submitting concerns regarding a police incident that occurred on Thanksgiving Day at Oakdale Public Housing. Received 3 Letters (40)

From Francisco Da Costa, submitting a link to an article regarding SFPUC. (41)

From Francisco Da Costa, regarding testing the City's elderly and children for toxic dust, heavy metals, radiological elements, and asbestos exposure. (42)

From Police Department, submitting response to Supervisor's Ammiano letter to Chief Heather Fong regarding gang violence in the Mission District. (Reference 20071016-046) (43)

From concerned citizens, expressing various concerns about San Francisco. (44)

From Dennis Shepit, submitting support for the City's ban on plastic bags. (45)

From concerned citizens, regarding the art piece "Crouching Spider" near Mission Street on the Embarcadero possibly being a ADA violation. Received 2 Letters (46)

From Public Utilities Commission, submitting response regarding graffiti removal from various locations in the City. (Reference 20071016-053) (47)

From Department of Aging and Adult Services, submitting response regarding month to month leases. (Reference 20071016-025) (48)

From Department on the Status of Women, submitting response regarding month to month leases. (Reference 20071016-020) (49)

From Chief Fong, submitting a copy of email in response to allegations of on-duty misconduct by SFPD. (50)

From William Foster, regarding a parking citation that was incorrectly filled out. (51)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised December 6, 2007

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending the SF Planning Code to assess administrative penalties for a Planning Code violation	071651	Land Use & Economic Development Committee	Supervisors Sandoval, Maxwell	12/11/07	1/11/08
Ordinance amending SF Planning Code to define three types of entertainment use.	071649	Land Use & Economic Development Committee	Supervisor Peskin	12/11/07	1/11/08
Ordinance amending SF Administrative Code requiring the City to give notice of termination or expiration of a lease from SFUSD to the City when the City has used the leased property in a manner directly serving the public.	071648	Land Use & Economic Development Committee	Supervisor Mirkarimi	12/11/07	1/11/08
Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency.	071595	Budget and Finance Committee	Mayor	11/20/07	12/20/07
Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities.	071596	Rules Committee	Supervisor Mirkarimi	11/20/07	12/20/07
Ordinance amending the San Francisco Health Code by adding Article 37, sections 3701 through 3711, to: (1) encourage restaurants located in the City and County of San Francisco to discontinue the use of artificial trans fat in food served to customers.	071607	City Operations and Neighborhood Services Committee	Supervisors Maxwell, Peskin, Ammiano	11/20/07	12/20/07
Charter Amendment (First Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that	071589	Rules Committee	Supervisor McGoldrick	11/20/07	12/20/07

these offices will be elected in even-numbered years; general municipal election so that such elections occur only in even-numbered years.					
Charter Amendment (First Draft) to amend Sections 8A.102, 8A.112, 13.101, 13.101.5, and 15.105 for the election of members to Municipal transportation Agency's Board of Directors, setting compensation, and fixing status as members of the Parking Authority Commission.	071590	Rules Committee	Supervisor McGoldrick	11/20/07	12/20/07
Charter Amendment (First Draft) to amend Section 4.101 to make it City policy to consider and as appropriate support the nomination, appointment and confirmation of female and minority candidates to fill seats on appointive boards, commissions, or advisory bodies.	071591	Rules Committee	Supervisor McGoldrick	11/20/07	12/20/07
Ordinance prohibiting formula retail in commercially designated areas along Mission, Valencia, 16 th and 24 th Streets	071561	Land Use & Economic Development Committee		11/13/07	12/13/07



